

HOUSE JOURNAL

EIGHTY-FIFTH LEGISLATURE, REGULAR SESSION

PROCEEDINGS

SEVENTY-NINTH DAY — TUESDAY, MAY 23, 2017

The house met at 10:03 a.m. and was called to order by the speaker.

The roll of the house was called and a quorum was announced present (Record 1600).

Present — Mr. Speaker(C); Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Absent, Excused — Israel.

Absent — Dukes.

The speaker recognized Representative Y. Davis who introduced Gaylon Clark, lead pastor, Greater Mt. Zion Baptist Church, Austin, who offered the invocation as follows:

Our God, you are the source of all things. You are sovereign and in control. We are here because of you. You determined the times in which we would live, the places we would call home, and the contribution we would make on the world, so we know what the men and women of this legislative body do is a result of your intentional investment in their lives.

I pray for them today. I pray through your kindness they will experience the wind of your presence and that you will give them wisdom to continue to make important choices that affect the lives of so many you love. I pray for their health

and wholeness in body and spirit. I pray for their families and children, that they would experience that richness in life that comes from inner resources. This prayer I offer you confident of your merciful response. Amen.

The speaker recognized Representative Burkett who led the house in the pledges of allegiance to the United States and Texas flags.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business in the district:

Israel on motion of Howard.

CAPITOL PHYSICIAN

The speaker recognized Representative Workman who presented Dr. Kristi Salinas of San Antonio as the "Doctor for the Day."

The house welcomed Dr. Salinas and thanked her for her participation in the Physician of the Day Program sponsored by the Texas Academy of Family Physicians.

(Cyrier in the chair)

RESOLUTIONS ADOPTED

Representative Lucio moved to suspend all necessary rules to take up and consider at this time the following congratulatory resolutions.

The motion prevailed.

The following resolutions were laid before the house:

HR 2008 (by Wu), Congratulating Elsie Chen, valedictorian of the Sharpstown International School Class of 2017.

HR 2009 (by Wu), Congratulating Jelani Kelley on his designation as a co-salutatorian of the Class of 2017 at Sharpstown International School in Houston.

HR 2010 (by Wu), Congratulating Loi Lao on his designation as a co-salutatorian of the Class of 2017 at Sharpstown International School in Houston.

HR 2011 (by Wu), Congratulating Tianming Deng on graduating as the salutatorian of the Sharpstown High School Class of 2017.

HR 2012 (by Wu), Congratulating Jasmine Cervantes on graduating as the valedictorian of the Sharpstown High School Class of 2017.

HR 2014 (by Arévalo), Recognizing Isabel Marie Sánchez of San Antonio for her accomplishments as a musical artist.

HR 2118 (by Wu), Congratulating Tesfamichael Negussie, salutatorian of the Class of 2017 at Margaret Long Wisdom High School in Houston.

HR 2143 (by Dutton), Congratulating the Reverend Matthew R. Alix Sr. of Houston on his 60 years in the ministry.

HR 2232 (by Guillen), Congratulating students from Falfurrias High School for their performance in the National History Day competition.

HR 2240 (by Lang), Honoring Trooper D. L. Wilson for his role in rescuing a motorist.

HR 2241 (by Lang), Commending Chase Miller of the Granbury Police Department for saving the life of a three-year-old boy.

HR 2244 (by Roberts), Congratulating the Cypress Falls High School boys' basketball team on winning the 2017 UIL 6A state championship.

HR 2291 (by Minjarez), Congratulating Harmony Science Academy in San Antonio on receiving a silver medal from U.S. News & World Report in the publication's 2017 Best High Schools feature.

HR 2329 (by J. Johnson), Honoring the Houston Vitiligo Awareness Movement.

The resolutions were adopted.

On motion of Representative Lucio, the names of all the members of the house were added to the resolutions as signers thereof, with the understanding that a member may remove his or her name from any resolution.

COMMITTEE GRANTED PERMISSION TO MEET

Representative Lucio requested permission for the Committee on Rules and Resolutions to meet while the house is in session, at 10:45 a.m. today, in 1W.14, to set a calendar.

Permission to meet was granted.

COMMITTEE MEETING ANNOUNCEMENT

The following committee meeting was announced:

Rules and Resolutions, 10:45 a.m. today, 1W.14, for a formal meeting, to set a calendar.

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, House List No. 30 and Senate List Nos. 23 and 24).

HR 1491 - PREVIOUSLY ADOPTED

(by Muñoz and Guerra)

The chair laid out and had read the following previously adopted resolution:

HR 1491, Congratulating the Mission Veterans Memorial High School varsity Mariachi Toros de Plata on a successful 2017 season.

INTRODUCTION OF GUESTS

The chair recognized Representative Muñoz who introduced representatives of the Mission Veterans Memorial High School varsity Mariachi Toros de Plata.

HR 2244 - PREVIOUSLY ADOPTED
(by Roberts, Elkins, and Oliverson)

The chair laid out and had read the following previously adopted resolution:

HR 2244, Congratulating the Cypress Falls High School boys' basketball team on winning the 2017 UIL 6A state championship.

INTRODUCTION OF GUESTS

The chair recognized Representative Roberts who introduced players and coaches of the Cypress Falls High School boys' basketball team.

HR 2014 - PREVIOUSLY ADOPTED
(by Arévalo)

The chair laid out and had read the following previously adopted resolution:

HR 2014, Recognizing Isabel Marie Sánchez of San Antonio for her accomplishments as a musical artist.

INTRODUCTION OF GUESTS

The chair recognized Representative Arévalo who introduced Isabel Marie Sánchez and members of her family.

(Speaker in the chair)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today to attend a meeting of the Committee on Rules and Resolutions:

Burns on motion of Murr.

MAJOR STATE CALENDAR
SENATE BILLS
THIRD READING

The following bills were laid before the house and read third time:

SB 292 ON THIRD READING
(Price and Coleman - House Sponsors)

SB 292, A bill to be entitled An Act relating to the creation of a grant program to reduce recidivism, arrest, and incarceration of individuals with mental illness.

Amendment No. 1

Representative Price offered the following amendment to **SB 292**:

Amend **SB 292** on third reading by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 531, Government Code, is amended by adding Section 531.09935 to read as follows:

Sec. 531.09935. GRANT PROGRAM TO REDUCE RECIDIVISM, ARREST, AND INCARCERATION AMONG INDIVIDUALS WITH MENTAL ILLNESS AND TO REDUCE WAIT TIME FOR FORENSIC COMMITMENT IN MOST POPULOUS COUNTY. (a) The commission shall establish a program to provide a grant to a county-based community collaborative in the most populous county in this state for the purposes of reducing:

(1) recidivism by, the frequency of arrests of, and incarceration of persons with mental illness; and

(2) the total waiting time for forensic commitment of persons with mental illness to a state hospital.

(b) The community collaborative may receive a grant under the program only if the collaborative includes the county, a local mental health authority that operates in the county, and each hospital district located in the county. A community collaborative may include other local entities designated by the collaborative's members.

(c) Not later than the 30th day of each fiscal year, the commission shall make available to the community collaborative established in the county described by Subsection (a) a grant in an amount equal to the lesser of:

(1) the amount appropriated to the commission for that fiscal year for a mental health jail diversion pilot program in that county; or

(2) the collaborative's available matching funds.

(d) The commission shall condition a grant provided to the community collaborative under this section on the collaborative providing funds from non-state sources in a total amount at least equal to the grant amount.

(e) To raise the required non-state sourced funds, the collaborative may seek and receive gifts, grants, or donations from any person.

(f) Acceptable uses for the grant money and matching funds include:

(1) the continuation of a mental health jail diversion program;

(2) the establishment or expansion of a mental health jail diversion program;

(3) the establishment of alternatives to competency restoration in a state hospital, including outpatient competency restoration, inpatient competency restoration in a setting other than a state hospital, or jail-based competency restoration;

(4) the provision of assertive community treatment or forensic assertive community treatment with an outreach component;

(5) the provision of intensive mental health services and substance abuse treatment not readily available in the county;

(6) the provision of continuity of care services for an individual being released from a state hospital;

(7) the establishment of interdisciplinary rapid response teams to reduce law enforcement's involvement with mental health emergencies; and

(8) the provision of local community hospital, crisis, respite, or residential beds.

(g) Not later than the 90th day after the last day of the state fiscal year for which the commission distributes a grant under this section, the community collaborative shall prepare and submit a report describing the effect of the grant money and matching funds in fulfilling the purpose described by Subsection (a).

(h) The commission may make inspections of the operation and provision of mental health services provided by the community collaborative to ensure state money appropriated for the grant program is used effectively.

Amendment No. 1 was adopted.

SB 292, as amended, was passed by (Record 1601): 138 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Krause; Lang; Rinaldi; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent, Excused, Committee Meeting — Burns.

Absent — Dukes; Gooden; King, P.; Morrison.

STATEMENTS OF VOTE

When Record No. 1601 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1601 was taken, I was in the house but away from my desk. I would have voted yes.

P. King

When Record No. 1601 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

**GENERAL STATE CALENDAR
SENATE BILLS
THIRD READING**

The following bills were laid before the house and read third time:

**SB 570 ON THIRD READING
(Walle and Uresti - House Sponsors)**

SB 570, A bill to be entitled An Act relating to the regulation of the retention, storage, transportation, disposal, processing, and reuse of used or scrap tires; providing a civil penalty; creating a criminal offense.

Amendment No. 1

Representative Pickett offered the following amendment to **SB 570**:

Amend **SB 570** on third reading in SECTION 3 of the bill, in added Section 361.1122(g), Health and Safety Code, by striking the second sentence and substituting the following:

A political subdivision, state agency, or a person who contracts with a political subdivision or state agency is not required to comply with this subsection regarding the transportation of used or scrap tires directly from:

(1) a roadway maintained by the political subdivision or state agency;

or

(2) an easement maintained by the political subdivision or state agency that is adjacent to a roadway.

Amendment No. 1 was adopted.

SB 570 - STATEMENT OF LEGISLATIVE INTENT

REPRESENTATIVE E. RODRIGUEZ: Representative Walle, does this bill limit the number of tires a permitted landfill can store for its use and its permitted leachate collection system?

REPRESENTATIVE WALLE: It wouldn't apply to them as long as they're secure. It wouldn't apply, no.

E. RODRIGUEZ: Do they need any additional authorization besides their permit?

WALLE: No, TCEQ already allows them under their current regime.

REMARKS ORDERED PRINTED

Representative E. Rodriguez moved to print remarks between Representative Walle and Representative E. Rodriguez.

The motion prevailed.

SB 570, as amended, was passed by (Record 1602): 114 Yeas, 30 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simmons; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Burrows; Cain; Fallon; Goldman; Hefner; Keough; Klick; Krause; Lang; Leach; Metcalf; Murr; Oliverson; Phillips; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Stephenson; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent, Excused, Committee Meeting — Burns.

Absent — Davis, S.; Dukes; Hernandez.

STATEMENTS OF VOTE

When Record No. 1602 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1602 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1602 was taken, I was shown voting yes. I intended to vote no.

Paul

SB 2131 ON THIRD READING (Howard - House Sponsor)

SB 2131, A bill to be entitled An Act relating to efforts to facilitate the completion by students of undergraduate certificate and degree programs.

(Burns now present)

Amendment No. 1

Representatives Moody, Simmons, Bernal, and Huberty offered the following amendment to **SB 2131**:

Amend **SB 2131** on third reading as follows:

(1) In the recital to the SECTION of the bill amending Section 33.007, Education Code, between "(b-2)," and "and", insert "(b-3),".

(2) In the SECTION of the bill amending Section 33.007, Education Code, at the end of amended Subsection (b), insert the following:
; and

(13) for a student with a disability, the postsecondary educational opportunities and programs that accommodate the student's disability available at the public junior college or institution of higher education closest to the student's school

(3) In the SECTION of the bill amending Section 33.007, Education Code, immediately after added Subsection (b-2), insert the following:

(b-3) The Texas Higher Education Coordinating Board shall develop and provide to each school district and open-enrollment charter school an outline of the information described by Subsection (b)(13) applicable to that district or school.

(4) In the SECTION of the bill amending Section 33.007, Education Code, strike added Subsection (d) and substitute the following:

(d) In this section:

(1) "Institution of higher education" has the meaning assigned by Section 61.003.

(2) "Student with a disability" means a student who is:

(A) eligible to participate in a school district's special education program under Section 29.003; or

(B) covered by Section 504, Rehabilitation Act of 1973 (29 U.S.C. Section 794).

(5) Strike the SECTION of the bill addressing the applicability of Section 33.007, Education Code, as amended by the bill.

(6) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) Except as provided by Subsection (b) of this section, Section 33.007, Education Code, as amended by this Act, applies beginning with the 2017-2018 school year.

(b) Section 33.007(b)(13), Education Code, as added by this Act, applies beginning with the 2018-2019 school year.

SECTION _____. Not later than September 1, 2018, the Texas Higher Education Coordinating Board shall develop and provide to each school district and open-enrollment charter school the outline required under Section 33.007(b-3), Education Code, as added by this Act.

Amendment No. 1 was adopted by (Record 1603): 130 Yeas, 11 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank;

Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Hunter; Isaac; Johnson, E.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Keough; Krause; Lang; Metcalf; Rinaldi; Schaefer; Stickland; Swanson; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Bell; Dukes; Huberty; Johnson, J.; Murphy; Pickett; VanDeaver.

STATEMENTS OF VOTE

When Record No. 1603 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1603 was taken, I was in the house but away from my desk. I would have voted yes.

Huberty

When Record No. 1603 was taken, I was in the house but away from my desk. I would have voted yes.

Murphy

SB 2131, as amended, was passed by (Record 1604): 130 Yeas, 16 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheffield; Shine;

Simmons; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Burrows; Cain; Fallon; Keough; Krause; Lang; Laubenberg; Leach; Phillips; Rinaldi; Sanford; Schaefer; Springer; Stickland; Swanson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Bell; Dukes.

STATEMENTS OF VOTE

When Record No. 1604 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1604 was taken, I was shown voting yes. I intended to vote no.

Shaheen

SB 1599 ON THIRD READING

(Walle, Thierry, Giddings, and Collier - House Sponsors)

SB 1599, A bill to be entitled An Act relating to maternal mortality reporting and investigation information.

SB 1599 was passed by (Record 1605): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes; Longoria; Stucky.

STATEMENTS OF VOTE

When Record No. 1605 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1605 was taken, my vote failed to register. I would have voted yes.

Stucky

SB 463 ON THIRD READING (Huberty and Lozano - House Sponsors)

SB 463, A bill to be entitled An Act relating to the use of individual graduation committees to satisfy certain public high school graduation requirements and other alternative methods to satisfy certain public high school graduation requirements.

Amendment No. 1

Representative Huberty offered the following amendment to **SB 463**:

Amend **SB 463** on third reading as follows:

(1) In SECTION 1 of the bill, in amended Section 12.104(b-2), Education Code, strike "2019" and substitute "2021".

(2) In SECTION 2 of the bill, in amended Section 28.025(c-6), Education Code, strike "2019" and substitute "2021".

(3) In SECTION 3 of the bill, in added Section 28.02541(g), Education Code, strike "2019" and substitute "2021".

(4) In SECTION 5 of the bill, in amended Section 28.0258(l), Education Code, strike "2019" and substitute "2021".

(5) In SECTION 7 of the bill, in amended Section 28.0259(e), Education Code, strike "2019" and substitute "2021".

(6) In SECTION 8 of the bill, in added Section 28.02591(a), Education Code, strike "2019" and substitute "2021".

(7) In SECTION 9 of the bill, in amended Section 39.025(a-2), Education Code, as added by Chapter 5 (**SB 149**), Acts of the 84th Legislature, Regular Session, 2015, strike "2019" and substitute "2021".

(8) In SECTION 10 of the bill, in amended Section 39.025(a-3), Education Code, strike "2019" and substitute "2021".

Amendment No. 1 was adopted.

SB 463, as amended, was passed by (Record 1606): 141 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy;

Coleman; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Rose; Sanford; Schaefer; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Cain; Schofield.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Collier; Dukes; Klick; Nevárez; Rodriguez, J.

STATEMENTS OF VOTE

When Record No. 1606 was taken, my vote failed to register. I would have voted yes.

Collier

When Record No. 1606 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1606 was taken, I was in the house but away from my desk. I would have voted yes.

J. Rodriguez

SB 802 ON THIRD READING (Howard - House Sponsor)

SB 802, A bill to be entitled An Act relating to a study and report regarding best practices in the transfer of course credit between public institutions of higher education.

SB 802 was passed by (Record 1607): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González;

Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes; Faircloth; Kacal.

STATEMENTS OF VOTE

When Record No. 1607 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1607 was taken, I was in the house but away from my desk. I would have voted yes.

Kacal

SB 1353 ON THIRD READING (Faircloth - House Sponsor)

SB 1353, A bill to be entitled An Act relating to state financial assistance for a school district to which an academically unacceptable school district is annexed.

Amendment No. 1

Representative Faircloth offered the following amendment to **SB 1353**:

Amend **SB 1353** on third reading in the SECTION of the bill that addresses the applicability of amended Section 13.054(f), Education Code, and added Section 13.054(h), Education Code, by adding the following at the end of that SECTION:

An annexation that occurs before that date is governed by Section 13.054(f), Education Code, as that section existed at the time the annexation occurred.

Amendment No. 1 was adopted.

SB 1353, as amended, was passed by (Record 1608): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Burkett; Dukes.

STATEMENTS OF VOTE

When Record No. 1608 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1608 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1839 ON THIRD READING (Koop - House Sponsor)

SB 1839, A bill to be entitled An Act relating to the preparation, certification, and classification of public school educators.

Amendment No. 1

Representative Price offered the following amendment to **SB 1839**:

Amend **SB 1839** on third reading by striking amended Section 21.044(c-1), Education Code, and substituting the following:

(c-1) The ~~[Any]~~ minimum academic qualifications for a certificate specified under Subsection (a) ~~[that require a person to possess a bachelor's degree]~~ must ~~[also]~~ require that the person receive, as part of the training required to obtain that certificate, instruction regarding mental health, substance abuse, and youth suicide. The instruction required must:

(1) be provided through or acquired from a program selected from the list of recommended best practice-based programs established under Section 161.325, Health and Safety Code; ~~and~~

(2) include effective strategies for teaching and intervening with students with mental or emotional disorders, including de-escalation techniques and positive behavioral interventions and supports; and

(3) be implemented in compliance with requirements of the program selected under Subdivision (1).

Amendment No. 1 was adopted.

SB 1839, as amended, was passed by (Record 1609): 137 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Rinaldi; Schaefer; Stickland; Swanson; Tinderholt.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes; Frank; Keough; Lozano.

STATEMENTS OF VOTE

When Record No. 1609 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1609 was taken, I was in the house but away from my desk. I would have voted yes.

Keough

SB 1854 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Huberty, Representative Uresti was authorized as a house sponsor to **SB 1854**.

**SB 1710 ON THIRD READING
(Neave - House Sponsor)**

SB 1710, A bill to be entitled An Act relating to applications for the complete restoration of a ward's capacity or modification of a guardianship.

SB 1710 was passed by (Record 1610): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes; Walle; Zerwas.

STATEMENT OF VOTE

When Record No. 1610 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

**SB 1465 ON THIRD READING
(G. Bonnen - House Sponsor)**

SB 1465, A bill to be entitled An Act relating to the authority of certain ex officio members of the board of directors of a tax increment financing reinvestment zone to elect not to serve on the board.

SB 1465 was passed by (Record 1611): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes; Murphy; Zerwas.

STATEMENTS OF VOTE

When Record No. 1611 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1611 was taken, I was in the house but away from my desk. I would have voted yes.

Murphy

SB 1480 ON THIRD READING (Murphy, Shine, et al. - House Sponsors)

SB 1480, A bill to be entitled An Act relating to the guarantee of school district and charter district bonds by the permanent school fund.

SB 1480 - REMARKS

REPRESENTATIVE MURPHY: This is the bill we passed yesterday that allows public charter schools to have their bonds supported by the public school fund, backed by it. It's not an allocation of any state revenue, but it does allow them to have a lower cost of borrowing so we can put more money into the classroom.

REPRESENTATIVE HINOJOSA: Representative Murphy, you and I spoke about my concerns on this bill, and so I wanted to ask you some questions to see if you might be able to alleviate some of my concerns. My general concern is for the continued strength of the permanent school fund given this change. I want to read you a quote that I have here from the Moody's Investors Service. In its most

recent review of the permanent school fund in January, it noted that **HB 467**, which is the companion to this bill, would be a credit negative for the permanent school fund. This is a quote, "as it could potentially weaken the overall credit quality of the program's participants as the permanent school fund extends its guarantee to a growing number of charter schools over time." And then the final point that gave me concern was that the fiscal note that I saw predicts that charters will default in the future. And here's the quote: "PSF staff indicate that the additional funding costs of higher interest rates that could result from a default on charter district bonds would be approximately \$14.8 million per year or \$297 million over the 20-year average term of the bond district issuance, including both school district and charter district bond debt service costs." So I would just ask if you would have any information that might alleviate my concerns.

MURPHY: Thank you very much, Representative Hinojosa. Let me address your concerns because there was a very long process over the past couple of months to develop this bill to get it passed unanimously out of Public Education twice. We have worked on this with folks like Moody's, Standard and Poor's, the Wells Fargo people, and so what we did is we changed a number of things. Those comments were relative to the bill as filed, not the substitute. And so I want the members to know we worked to make a number of changes that are very important for protecting the permanent school fund.

First off, we phased it over five years, so it's not an immediate program. We increased the contributions that schools have to make from 10 percent to 20 percent to provide a larger-level security as a reserve fund. We require that reserve fund to be paid up front so it would be an earlier payment, and that's what created a positive fiscal note for the state at the end of the day. It was \$13 million in the next biennium and \$25 million over the next five years. And we allowed the TEA commissioner discretion over whether or not they should allow these applications to proceed forward if they felt the fund was in any kind of jeopardy. We also allowed the permanent school fund to have a lien against the property in case there were any concerns of default. So between the barrier, the lien, and the reserve fund, we think we've done things to address it.

REPRESENTATIVE PHILLIPS: I just want to make sure I understand your bill. This is going to allow a charter school to take advantage of the credit of Texas.

MURPHY: Yes, these public charter schools were able to use the same fund that backs other public school bonds. But Larry, I want you to understand, it's only for those charters that achieve a level of—you know the high performing investment grade folks? It's eight percent of charters that clear that bar.

PHILLIPS: Okay, but I just want to make sure I understand—what happens to the facilities when they go bankrupt? Or can they sell them and use that money to pay off their board of directors?

MURPHY: No. No, that's why we put the lien in. So Larry, the PSF will have a lien on anything its funds are backing, so it will get its money first.

PHILLIPS: So I just want to make sure I understand. What we're about to vote on is allowing essentially tax dollars of Texas to help fund potentially private entities. And is that a bad thing?

MURPHY: It's actually not a correct term, Larry. What they're doing is, they're using the fund to guarantee the bonds, so they're not getting any state dollars into these public charter schools, and this program has been going on for years. What we did in this bill, and I want to give Hugh Shine a lot of credit, is we allowed for a greater expansion of the program, but the changes that I enumerated for Representative Hinojosa are improvements to the existing program to greater secure the funds of Texas.

PHILLIPS: I just want to make sure, because we have people that have voted against allowing private companies to do public things such as build roads because we felt like that was somehow bad. But it seems like we're voting to allow some kind of the credit of Texas to stand behind potentially private charter schools.

MURPHY: They're public schools. And Larry, I appreciate your—

PHILLIPS: I'm sorry, not private. I understand. They're called public charter schools. I apologize for that, but my question is, some of these are private corporations?

MURPHY: So they have the issue right now of a high cost of borrowing. They have fewer dollars to put in the classroom. This allows more money into classrooms—to pay teachers, to fund resources. And Larry, I appreciate your leadership on the public-private partnerships and trying to get those done, but this is not what this—

PHILLIPS: I just see a little hypocrisy here in some aspect of it. I'm not saying from you or any of those guys up there.

MURPHY: It is not the same thing, Larry. It is not the same thing, and that's what I have to tell you. And I'm okay with the public-private partnerships.

REPRESENTATIVE SHINE: Mr. Murphy, did we spend the last three months or so working on this bill together?

MURPHY: We sure did. We rolled up our sleeves and met with a lot of interested parties.

SHINE: And in that process, were all the parties involved included in the meetings that I had with the people that do the financial advising for our schools, the permanent school fund individuals?

MURPHY: Right, and that was very helpful to us as members to hear from the people who are essentially the guardians of the public dollars helping the PSF, as well as the investment community that buys this debt, and the people that administer it at the SBOE.

SHINE: Let's make sure all the members know everybody that was involved in this, because this is very important, I think. We had representation from the State Board of Education.

MURPHY: Correct.

SHINE: We had representation from the charter schools.

MURPHY: We did. We had the folks there from the TEA.

SHINE: And we had outside financial counsel that was involved in the process. There was a group of somewhere between 15 and 18 individuals that all had involvement in this process included. Is that right?

MURPHY: We had a lot of cooks in the kitchen, and it ended up working pretty well.

SHINE: And through that process, we worked out a lot of details that people had about why we should do it, why we shouldn't do it, and the fact that it's already in law that we currently back charter schools with a certain amount of permanent school fund financing.

MURPHY: In fact, Representative Shine, I was not aware of the concerns of the existing program until we started this. So we both expanded it and made the existing program better.

SHINE: So the members need to understand the controls that we have here, too, because I feel the same way. I want to protect the State of Texas, and my whole goal and objective was to protect the permanent school fund. Right?

MURPHY: Absolutely.

SHINE: And we increased the reserve fund from 10 percent to 20 percent?

MURPHY: That was huge, doubled it.

SHINE: I think this is a great bill. I encourage the members to support the bill.

MURPHY: Thank you. I do want to recognize, real quick, Chairman Huberty and the Public Education Committee for moving this thing forward; my wingman, Colonel Shine, for all of his work behind the scenes; and a special shout out to Ben Williams in my office who kept up with all this.

SB 1480 was passed by (Record 1612): 139 Yeas, 7 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero;

Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Ashby; Holland; King, K.; Phillips; Sheffield; Stucky; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes; Hefner.

STATEMENTS OF VOTE

When Record No. 1612 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 1612 was taken, I was shown voting yes. I intended to vote no.

Clardy

When Record No. 1612 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1612 was taken, I was in the house but away from my desk. I would have voted yes.

Hefner

When Record No. 1612 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1612 was taken, I was shown voting yes. I intended to vote no.

Rose

When Record No. 1612 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print all remarks on **SB 1480**.

The motion prevailed.

SB 463 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Huberty, Representative Metcalf was authorized as a house sponsor to **SB 463**.

SB 589 ON THIRD READING**(Simmons, Gonzales, Stucky, and Coleman - House Sponsors)**

SB 589, A bill to be entitled An Act relating to the licensing and regulation of behavior analysts and assistant behavior analysts; requiring an occupational license; imposing fees.

SB 589 was passed by (Record 1613): 121 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Biedermann; Burns; Burrows; Cain; Cyrier; Fallon; Isaac; Keough; Krause; Landgraf; Lang; Leach; Metcalf; Murr; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dean; Dukes.

STATEMENTS OF VOTE

When Record No. 1613 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 1613 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1613 was taken, I was shown voting yes. I intended to vote no.

S. Thompson

SB 840 ON THIRD READING
(Martinez, Guillen, and Blanco - House Sponsors)

SB 840, A bill to be entitled An Act relating to certain images captured by an unmanned aircraft.

SB 840 was passed by (Record 1614): 142 Yeas, 5 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Bonnen, D.; Cain; Murr; Rinaldi; Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1614 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 2212 ON THIRD READING
(Kuempel - House Sponsor)

SB 2212, A bill to be entitled An Act relating to certain real estate sales, brokerage, and advertising activities, certain functions of the Texas Real Estate Commission, and the authorization of a ground lease with the Texas Facilities Commission to construct or maintain a building.

SB 2212 was passed by (Record 1615): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Anchia; Dukes; Keough; King, K.; Raney.

STATEMENT OF VOTE

When Record No. 1615 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1599 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Price, Representative Thierry was authorized as a house sponsor to **SB 1599**.

SB 1233 ON THIRD READING (S. Thompson - House Sponsor)

SB 1233, A bill to be entitled An Act relating to a writ of mandamus by a court of appeals against certain judges.

SB 1233 was passed by (Record 1616): 142 Yeas, 2 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Button; Cain; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert;

Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Burns; Murr.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Clardy; Dukes; Phillips; Raney.

STATEMENTS OF VOTE

When Record No. 1616 was taken, my vote failed to register. I would have voted yes.

Clardy

When Record No. 1616 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1616 was taken, my vote failed to register. I would have voted yes.

Phillips

SB 1446 ON THIRD READING (Clardy - House Sponsor)

SB 1446, A bill to be entitled An Act relating to contested cases conducted under the Administrative Procedure Act.

SB 1446 was passed by (Record 1617): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts;

Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Bohac; Dukes; Elkins.

STATEMENT OF VOTE

When Record No. 1617 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1599 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Price, Representative Minjarez was authorized as a house sponsor to **SB 1599**.

SB 1559 ON THIRD READING (G. Bonnen - House Sponsor)

SB 1559, A bill to be entitled An Act relating to a fee exemption for guardianship proceedings of certain military servicemembers and certain law enforcement officers, firefighters, and other first responders.

SB 1559 was passed by (Record 1618): 145 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Blanco; Dukes; Workman.

STATEMENT OF VOTE

When Record No. 1618 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1404 ON THIRD READING (Ashby - House Sponsor)

SB 1404, A bill to be entitled An Act relating to requiring school districts and open-enrollment charter schools to report certain information regarding expanded learning opportunities.

SB 1404 was passed by (Record 1619): 126 Yeas, 17 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bonnen, D.; Cain; Capriglione; Krause; Lang; Leach; Rinaldi; Schaefer; Schofield; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C); Sanford.

Absent, Excused — Israel.

Absent — Coleman; Dukes; Parker; Phillips.

STATEMENTS OF VOTE

When Record No. 1619 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1619 was taken, I was in the house but away from my desk. I would have voted yes.

Parker

When Record No. 1619 was taken, my vote failed to register. I would have voted no.

Phillips

SB 1318 ON THIRD READING
(Parker - House Sponsor)

SB 1318, A bill to be entitled An Act relating to designation of mathematics innovation zones by the commissioner of education and to the establishment of pay for success programs to provide necessary funding.

SB 1318 was passed by (Record 1620): 146 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriiglione; Clardy; Collier; Cook; Cortez; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Israel.

Absent — Coleman; Dukes.

STATEMENT OF VOTE

When Record No. 1620 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1781 ON THIRD READING
(González - House Sponsor)

SB 1781, A bill to be entitled An Act relating to the regulation of certain degree-granting postsecondary educational institutions by the Texas Higher Education Coordinating Board; providing administrative penalties.

(Kacal in the chair)

SB 1781 - POINT OF ORDER

Representative Cain raised a point of order against further consideration of **SB 1791** under Rule 11, Section 2 and Rule 11, Section 3 of the House Rules on the grounds that the amendment is not germane to the bill and the amendment would change the original purpose of the bill.

The chair overruled the point of order and submitted the following statement:

Representative Cain raised a point of order against further consideration of **SB 1781** pursuant to Rule 11, Section 2 and Rule 11, Section 3 of the House Rules on the grounds that the Blanco amendment (Amendment No. 3) was not germane to the bill, the amendment impermissibly changes the purpose of the bill, and the bill has an impermissible second subject. The point of order is respectfully overruled.

Rule 11, Section 2, states that "No motion or proposition on a subject different from the subject under consideration shall be admitted as an amendment or as a substitute for the motion or proposition under debate." Rule 11, Section 3, prohibits a bill from being "amended in its passage through either house so as to change its original purpose." The amendment seeks to reform current law pertaining to the regulation of degree-granting postsecondary educational institutions. The bill allows the Higher Education Coordinating Board to award transferable college credit for certain military veterans; to operate under certain circumstances; and to maintain an academic records repository. Since the amendment falls within the broad scope of the HECB Regulations in this bill, the amendment is germane. The point of order is respectfully overruled.

SB 1781 was passed by (Record 1621): 97 Yeas, 46 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cortez; Craddick; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Parker; Perez; Phelan; Pickett; Raney; Raymond; Reynolds; Roberts;

Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; Vo; Walle; Workman; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Cain; Cook; Cospers; Cyrier; Dale; Darby; Dean; Faircloth; Fallon; Goldman; Gonzales; Hefner; Holland; Isaac; Keough; Klick; Krause; Lang; Leach; Metcalf; Miller; Murr; Paddie; Paul; Phillips; Price; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Stickland; Swanson; Tinderholt; Villalba; White; Wilson; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C); VanDeaver.

Absent, Excused — Israel.

Absent — Anchia; Dukes; Morrison.

STATEMENTS OF VOTE

When Record No. 1621 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1621 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1621 was taken, I was shown voting no. I intended to vote yes.

Sanford

SB 1911 ON THIRD READING (Farrar - House Sponsor)

SB 1911, A bill to be entitled An Act relating to posting notice of self-help resources on the Internet website of a state court and in the office of the court clerk.

SB 1911 was passed by (Record 1622): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez;

Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Israel.

Absent — Dukes; Romero.

STATEMENT OF VOTE

When Record No. 1622 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 2065 ON THIRD READING (Kuempel - House Sponsor)

SB 2065, A bill to be entitled An Act relating to the licensing and regulation of certain occupations and activities.

SB 2065 - POINT OF ORDER

Representative Allen raised a point of order against further consideration of **SB 2065**.

The chair overruled the point of order and submitted the following statement:

Representative Allen raised a point of order against further consideration of **SB 2065** under Rule 11, Section 2 and Rule 11, Section 3 of the House Rules and Article III, Section 30, Article III, Section 35, and Article III, Section 56 of the Texas Constitution on the grounds that the Guillen amendment (Amendment No. 16) is not germane to the bill, the amendment would change the original purpose of the bill, and the bill is an impermissible local bill.

Rule 11, Section 2 of the House Rules states that "No motion or proposition on a subject different from the subject under consideration shall be admitted as an amendment or as a substitute for the motion or proposition under debate." Rule 11, Section 3, prohibits a bill from being "amended in its passage through either house so as to change its original purpose." As the chair previously discussed in Representative Stickland's point of order on the same bill, **SB 2065** is an omnibus occupational regulation bill that provides for certain consumer protection measures and regulates licensed trades. The long list of occupations and activities addressed by the bill include:

business and commerce—general

vehicle protection product, including the regulation of persons engaged in the sale of a financial transaction of a vehicle protection product

for-profit legal service contacts, including regulating the form of the legal service contract marketed and sold

temporary common workers

barbers

cosmetologists

tow companies and towing of vehicles

vehicle protection products and warrantors

licensing and regulation, Texas

Additionally, **SB 2065** was amended a total of 13 different times to include additional industries, including:

regulation of car boots

registrable marks in the Business and Commerce Code

volunteer security services at religious worship centers within the Occupation Code

regulating industrialized housing

regulating barber facilities and equipment

regulating charitable raffles

regulating school credit hours

Amendment No. 16 falls under the vehicles and traffic subject: it regulates transportation services within Dallas County. The amendment regulates Dallas County's transportation services. The omnibus bill before the house was, in effect, a licensing and regulation of mechanical occupations and activities (such as the offer and sale of bus transportation). Because the bill's subject is extremely broad, and the amendment falls within one of the bill's subjects, the amendment is germane to the bill. The point of order is respectfully overruled.

SB 2065 was passed by (Record 1623): 131 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Coleman; Collier; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Keough; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield;

Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Allen; Anderson, R.; Ashby; Clardy; Cook; Dean; Dutton; King, K.; Lambert; Minjarez; Phillips; Stucky.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Israel.

Absent — Davis, Y.; Dukes; Reynolds; Zerwas.

STATEMENT OF VOTE

When Record No. 1623 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 2144 ON THIRD READING (Huberty - House Sponsor)

SB 2144, A bill to be entitled An Act relating to the creation of a commission to recommend improvements to the public school finance system.

(Israel now present)

SB 2144 - POINT OF ORDER

Representative Walle raised a point of order against further consideration of **SB 2144**.

The point of order was withdrawn.

Representative Huberty moved to postpone consideration of **SB 2144** until 6 p.m. today.

The motion prevailed.

SB 1005 ON THIRD READING (Deshotel - House Sponsor)

SB 1005, A bill to be entitled An Act relating to the use of the SAT or the ACT as a secondary exit-level assessment instrument to allow certain public school students to receive a high school diploma.

Amendment No. 1

Representative VanDeaver offered the following amendment to **SB 1005**:

Amend **SB 1005** on third reading as follows:

(1) In the recital for SECTION 1 of the bill, strike "Subsection (f-1)" and substitute "Subsections (f-1) and (f-2)".

(2) In SECTION 1 of the bill, amending Section 39.025(f)(2), Education Code, strike "the SAT, the ACT, or the Texas Success Initiative (TSI) diagnostic assessment" and substitute "the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic assessment, or the current assessment instrument or instruments administered for graduation purposes".

(3) In SECTION 1 of the bill, adding Section 39.025(f-1), Education Code, strike "the SAT, the ACT, and the Texas Success Initiative (TSI) diagnostic assessment" and substitute "the SAT, the ACT, the Texas Success Initiative (TSI) diagnostic assessment, and the current assessment instrument or instruments administered for graduation purposes".

(4) In SECTION 1 of the bill, following added Section 39.025(f-1), insert the following:

(f-2) A school district shall determine which assessment or assessments described by Subsection (f-1) qualifies a student subject to Subsection (f)(1) to receive a high school diploma from the district.

Amendment No. 1 was adopted.

SB 1005, as amended, was passed by (Record 1624): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Davis, Y.; Dukes; Shine.

STATEMENT OF VOTE

When Record No. 1624 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1625 ON THIRD READING

(Cortez, Oliverson, and Guerra - House Sponsors)

SB 1625, A bill to be entitled An Act relating to the Texas Physician Assistant Board and the licensing and regulation of physician assistants.

SB 1625 was passed by (Record 1625): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Davis, Y.; Dukes; Farrar.

STATEMENT OF VOTE

When Record No. 1625 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1677 ON THIRD READING **(S. Thompson - House Sponsor)**

SB 1677, A bill to be entitled An Act relating to information about services for women veterans provided through certain state agency applications.

SB 1677 was passed by (Record 1626): 134 Yeas, 12 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira;

Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Fallon; Krause; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker; Kacal(C); Sanford.

Absent — Dukes.

STATEMENT OF VOTE

When Record No. 1626 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1649 ON THIRD READING (Moody - House Sponsor)

SB 1649, A bill to be entitled An Act relating to increasing the punishment for certain conduct constituting the offense of criminal trespass.

SB 1649 was passed by (Record 1627): 105 Yeas, 40 Nays, 3 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, G.; Burns; Burrows; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Farrar; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, T.; Koop; Krause; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Paul; Perez; Phillips; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Smithee; Springer; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu.

Nays — Anderson, R.; Bell; Biedermann; Bonnen, D.; Burkett; Button; Cain; Capriglione; Craddick; Cyrier; Faircloth; Fallon; Flynn; Frank; Holland; Keough; King, P.; Klick; Landgraf; Lang; Leach; Metcalf; Morrison; Parker; Phelan; Price; Rinaldi; Roberts; Schaefer; Schofield; Shaheen; Simmons; Stephenson; Stickland; Swanson; Tinderholt; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker; Anderson, C.; Kacal(C).

Absent — Dukes; Zerwas.

STATEMENTS OF VOTE

When Record No. 1627 was taken, I was shown voting present, not voting. I intended to vote no.

C. Anderson

When Record No. 1627 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1627 was taken, I was shown voting yes. I intended to vote no.

Springer

When Record No. 1627 was taken, I was shown voting yes. I intended to vote no.

Wray

SB 1882 ON THIRD READING (Koop - House Sponsor)

SB 1882, A bill to be entitled An Act relating to a school district contract to partner with an open-enrollment charter school to operate a district campus.

SB 1882 was passed by (Record 1628): 139 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Collier; González; Hinojosa; Nevárez.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Holland; Johnson, J.; Swanson; Zerwas.

STATEMENTS OF VOTE

When Record No. 1628 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 1628 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1628 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

When Record No. 1628 was taken, I was shown voting yes. I intended to vote no.

Murphy

When Record No. 1628 was taken, my vote failed to register. I would have voted yes.

Swanson

When Record No. 1628 was taken, I was shown voting yes. I intended to vote no.

Uresti

**SB 1009 ON THIRD READING
(Larson - House Sponsor)**

SB 1009, A bill to be entitled An Act relating to administrative completeness requirements for permit and permit amendment applications for groundwater conservation districts.

SB 1009 was passed by (Record 1629): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield;

Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Zerwas.

STATEMENT OF VOTE

When Record No. 1629 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 674 ON THIRD READING

(S. Davis and Coleman - House Sponsors)

SB 674, A bill to be entitled An Act relating to an expedited licensing process for certain physicians specializing in psychiatry; authorizing a fee.

SB 674 was passed by (Record 1630): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Cain; Dukes; Zerwas.

STATEMENTS OF VOTE

When Record No. 1630 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

When Record No. 1630 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1066 ON THIRD READING
(Lozano - House Sponsor)

SB 1066, A bill to be entitled An Act relating to meeting the graduate medical education needs of new medical degree programs offered by public institutions of higher education and to the employment status of certain residents participating in certain graduate medical education programs.

SB 1066 was passed by (Record 1631): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Zerwas.

STATEMENT OF VOTE

When Record No. 1631 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1912 ON THIRD READING
(Hinojosa - House Sponsor)

SB 1912, A bill to be entitled An Act relating to certain notice requirements and filing requirements in court proceedings involving persons with mental illness and representation of proposed patients in proceedings for court-ordered mental health services.

SB 1912 was passed by (Record 1632): 128 Yeas, 17 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu.

Nays — Bell; Biedermann; Cain; Capriglione; Fallon; Hefner; Keough; Krause; Lang; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Murphy; Zerwas.

STATEMENT OF VOTE

When Record No. 1632 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1679 ON THIRD READING (Gutierrez - House Sponsor)

SB 1679, A bill to be entitled An Act relating to the use of the fund for veterans' assistance to provide grants to support veterans county service offices.

SB 1679 was passed by (Record 1633): 132 Yeas, 12 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio;

Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Biedermann; Cain; Capriglione; Keough; Krause; Lang; Rinaldi; Schaefer; Schofield; Shaheen; Stickland; Swanson.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Deshotel; Dukes; Farrar; Johnson, J.

STATEMENTS OF VOTE

When Record No. 1633 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1633 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1633 was taken, I was shown voting no. I intended to vote yes.

Schofield

When Record No. 1633 was taken, I was shown voting yes. I intended to vote no.

Wilson

SB 854 ON THIRD READING (Flynn - House Sponsor)

SB 854, A bill to be entitled An Act relating to the purchase of food and beverages by the Texas Division of Emergency Management for certain persons.

SB 854 was passed by (Record 1634): 145 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez;

Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Coleman; Dukes; Zerwas.

STATEMENT OF VOTE

When Record No. 1634 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 869 ON THIRD READING (Farrar and Smithee - House Sponsors)

SB 869, A bill to be entitled An Act relating to authorizing a beneficiary designation that transfers a motor vehicle at the owner's death.

SB 869 was passed by (Record 1635): 144 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Darby; Dukes; Stickland; Zerwas.

STATEMENT OF VOTE

When Record No. 1635 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

**SB 744 ON THIRD READING
(Phelan and Fallon - House Sponsors)**

SB 744, A bill to be entitled An Act relating to a tree planting credit to offset tree mitigation fees imposed by a municipality.

Representative Phelan moved to postpone consideration of **SB 744** until 12:13 p.m. today.

The motion prevailed.

**SB 315 ON THIRD READING
(Burkett, S. Thompson, Flynn, and Raymond - House Sponsors)**

SB 315, A bill to be entitled An Act relating to the enforcement of subpoenas and the regulation of pain management clinics by the Texas Medical Board.

Amendment No. 1

Representative Rose offered the following amendment to **SB 315**:

Amend **SB 315** on third reading by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subtitle B, Title 3, Occupations Code, is amended by adding Chapter 170 to read as follows:

CHAPTER 170. PRESCRIPTION OF OPIOID ANTAGONISTS

Sec. 170.001. DEFINITIONS. In this chapter, "opioid antagonist" and "opioid-related drug overdose" have the meanings assigned by Section 483.101, Health and Safety Code.

Sec. 170.002. GUIDELINES. (a) The board shall adopt guidelines for the prescription of opioid antagonists.

(b) The guidelines must address:

(1) prescribing an opioid antagonist to a patient to whom an opioid medication is also prescribed; and

(2) identifying patients at risk of an opioid-related drug overdose and prescribing an opioid antagonist to that patient or to a person in a position to administer the opioid antagonist to that patient.

(c) In adopting guidelines under this section, the board:

(1) shall consult materials published by the Substance Abuse and Mental Health Services Administration of the United States Department of Health and Human Services; and

(2) may consult other appropriate materials, including medical journals subject to peer review and publications by medical professional associations.

Sec. 170.003. LIABILITY FOR ACT OR OMISSION WITH RESPECT TO PRESCRIBING AN OPIOID ANTAGONIST. A physician who acts in good faith and with reasonable care, regardless of whether the physician follows the guidelines adopted under this chapter, is not subject to criminal or civil liability or any professional disciplinary action for:

- (1) prescribing or failing to prescribe an opioid antagonist; or
- (2) any outcome resulting from the eventual administration of an opioid antagonist prescribed by the physician.

SECTION _____. The change in law made by this Act relating to Chapter 170, Occupations Code, as added by this Act, and to conduct that is grounds for imposition of a disciplinary sanction applies only to conduct that occurs on or after September 1, 2017. Conduct that occurs before September 1, 2017, is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION _____. The change in law made by this Act relating to Chapter 170, Occupations Code, as added by this Act, and to conduct that is the basis for civil liability applies only to conduct that occurs on or after September 1, 2017. Conduct that occurs before September 1, 2017, is governed by the law in effect on the date the conduct occurred, and the former law is continued in effect for that purpose.

SECTION _____. The change in law made by this Act relating to Chapter 170, Occupations Code, as added by this Act, and to conduct that constitutes a criminal offense applies only to an offense committed on or after September 1, 2017. For purposes of this section, an offense is committed before September 1, 2017, if any element of the offense occurs before that date. An offense committed before September 1, 2017, is governed by the law in effect on the date the offense was committed, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted.

SB 315, as amended, was passed by (Record 1636): 129 Yeas, 16 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield;

Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zedler.

Nays — Biedermann; Cain; Hefner; Keough; Krause; Lang; Leach; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Wilson.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dean; Dukes; Zerwas.

STATEMENTS OF VOTE

When Record No. 1636 was taken, I was in the house but away from my desk. I would have voted yes.

Dean

When Record No. 1636 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1660 ON THIRD READING (K. King - House Sponsor)

SB 1660, A bill to be entitled An Act relating to the minutes of operation required for public school districts, charter schools, and other education programs and to calculating the average daily attendance for certain education programs.

SB 1660 was passed by (Record 1637): 140 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Cain; Landgraf; Stickland; Tinderholt.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Anderson, C.; Coleman; Dukes; Zerwas.

STATEMENTS OF VOTE

When Record No. 1637 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1637 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

SB 537 ON THIRD READING
(Lozano - House Sponsor)

SB 537, A bill to be entitled An Act relating to requiring the disclosure of special course fees at public institutions of higher education.

SB 537 was passed by (Record 1638): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Zerwas.

STATEMENTS OF VOTE

When Record No. 1638 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1638 was taken, I was in the house but away from my desk. I would have voted yes.

Zerwas

SB 1709 ON THIRD READING
(Moody - House Sponsor)

SB 1709, A bill to be entitled An Act relating to the requirement of a guardian to provide information regarding a ward's health and residence to certain relatives of the ward.

SB 1709 was passed by (Record 1639): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Coleman; Dukes.

STATEMENTS OF VOTE

When Record No. 1639 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 277 ON THIRD READING
(Frank - House Sponsor)

SB 277, A bill to be entitled An Act relating to the eligibility of certain property for certain ad valorem tax incentives relating to wind-powered energy devices.

Amendment No. 1

Representative Hunter offered the following amendment to **SB 277**:

Amend **SB 277** on third reading as follows:

(1) In added Section 312.0021(a), Tax Code (page 1, line 10), strike "operations or".

(2) Immediately following added Section 312.0021(b), Tax Code (page 2, between lines 9 and 10) insert the following:

(c) The prohibition provided by this section does not apply if the wind-powered energy device is installed or constructed pursuant to a memorandum of understanding or other agreement between the owner of the device and the United States Department of Defense that authorizes the installation or construction of the device.

(d) The prohibition provided by this section does not apply if the wind-powered energy device is installed or constructed as part of an expansion or repowering of an existing project.

(3) In added Section 313.024, Tax Code (page 3, line 2) between "zone" and the underlined period, insert the following:

" The prohibition provided by this section does not apply if the wind-powered energy device is installed or constructed:

(1) pursuant to a memorandum of understanding or other agreement between the owner of the device and the United States Department of Defense that authorizes the installation or construction of the device; or

(2) as part of an expansion or repowering of an existing project."

Amendment No. 1 was adopted.

SB 277, as amended, was passed by (Record 1640): 134 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Keough; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stickland; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Anchia; Ashby; Clardy; Dean; King, K.; Metcalf; Smithee; Stucky; White; Wu.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; González; Johnson, J.; King, T.

STATEMENTS OF VOTE

When Record No. 1640 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1640 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1640 was taken, I was shown voting no. I intended to vote yes.

White

When Record No. 1640 was taken, I was shown voting yes. I intended to vote no.

Wilson

SB 578 ON THIRD READING (Gutierrez and Blanco - House Sponsors)

SB 578, A bill to be entitled An Act relating to measures to facilitate the delivery of certain mental health services for veterans.

SB 578 was passed by (Record 1641): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Israel.

STATEMENT OF VOTE

When Record No. 1641 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 59 ON THIRD READING (Kuempel - House Sponsor)

SB 59, A bill to be entitled An Act relating to energy and water management planning and reporting requirements for state agencies and institutions of higher education.

SB 59 was passed by (Record 1642): 146 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Burkett; Dukes.

STATEMENT OF VOTE

When Record No. 1642 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

SB 1656 ON THIRD READING (E. Rodriguez and Bernal - House Sponsors)

SB 1656, A bill to be entitled An Act relating to the eligibility of certain municipalities to establish homestead preservation districts and reinvestment zones.

SB 1656 was passed by (Record 1643): 93 Yeas, 53 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bailes; Bell; Bernal; Blanco; Burkett; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cyrier; Dale; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Frank; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; King, P.; King, T.; Klick; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Pickett; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; Workman; Wu; Zedler; Zerwas.

Nays — Anderson, R.; Ashby; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Cosper; Craddick; Darby; Elkins; Faircloth; Fallon; Flynn; Frullo; Goldman; Gooden; Hefner; Holland; Keough; King, K.; Koop; Krause; Lang; Laubenberg; Leach; Metcalf; Murr; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stickland; Swanson; Tinderholt; VanDeaver; White; Wilson; Wray.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Israel.

STATEMENTS OF VOTE

When Record No. 1643 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1643 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1643 was taken, I was shown voting yes. I intended to vote no.

Lambert

When Record No. 1643 was taken, I was shown voting yes. I intended to vote no.

Stucky

SB 830 ON THIRD READING **(Walle - House Sponsor)**

SB 830, A bill to be entitled An Act relating to the provision of accounting statements by mortgage servicers for certain loans secured by a lien on residential real property.

SB 830 was passed by (Record 1644): 96 Yeas, 51 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Burkett; Button; Canales; Clardy; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Nays — Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Capriglione; Cook; Cospers; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Goldman; Hefner; Holland; Isaac; Keough; Klick; Koop; Krause; Landgraf; Lang; Leach; Metcalf; Meyer; Miller; Murr; Oliverson; Paul; Phillips; Rinaldi; Schaefer; Schofield; Schubert; Shaheen; Simmons; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; White; Wilson; Wray; Zedler.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes.

STATEMENTS OF VOTE

When Record No. 1644 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1644 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1644 was taken, I was shown voting yes. I intended to vote no.

Paddie

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 744 ON THIRD READING (Phelan and Fallon - House Sponsors)

SB 744, A bill to be entitled An Act relating to a tree planting credit to offset tree mitigation fees imposed by a municipality.

SB 744 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative Phelan offered the following amendment to **SB 744**:

Amend **SB 744** on third reading by striking the text of Floor Amendment No. 1 by Darby.

Amendment No. 1 was adopted.

SB 744, as amended, was passed by (Record 1645): 144 Yeas, 2 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Canales; Wilson.

Present, not voting — Mr. Speaker; Kacal(C).

Absent — Dukes; Zedler.

STATEMENTS OF VOTE

When Record No. 1645 was taken, I was temporarily out of the house chamber. I would have voted yes.

Dukes

When Record No. 1645 was taken, I was shown voting no. I intended to vote yes.

Wilson

GENERAL STATE CALENDAR
(consideration continued)

SB 1913 ON THIRD READING
(S. Thompson, Wu, and Canales - House Sponsors)

SB 1913, A bill to be entitled An Act relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses.

Representative S. Thompson moved to postpone consideration of **SB 1913** until 3 p.m. today.

The motion prevailed.

(Speaker in the chair)

SB 5 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Laubenberg, Representatives Leach, Burrows, Metcalf, and Fallon were authorized as house sponsors to **SB 5**.

PARLIAMENTARY INQUIRY

REPRESENTATIVE LARSON: I haven't been around here but four sessions. I've never had bills that were sent over to the senate that sat and were never referred to committee. I have six bills passed and sent over there. One of them dealt with an ASR study. As our state moves into the next drought, we will rue the day that we didn't have the analysis of the geological formations along the rivers because the senate decided that bill did not have enough merit to be even referred to the Natural Resources Committee.

The second bill was one that was very emotional not only for me but for folks in my district. Kali Gorzell was tragically killed by a propeller on a boat because the kill switch wasn't hooked up to the driver. They didn't feel compelled to move that bill into a committee to even have a hearing on it. The River Authority sunset bills basically would have created a more efficient way of us looking at agencies that don't get appropriations from the state. Instead, we are going to continue to waste up to \$7.5 million dollars going through a process that does not work. It's an overreach by state government, and it's going to have an adverse impact on water planning in the future.

I had a bill that was somewhat controversial in this body as well. When the governor, on January 31st at 11 a.m., asked this body for ethics reform, I was unaware that that ethics reform would only impact members of the house and the senate, and he wanted to be precluded from being touched with ethics reform. I think that bill was a bill the governor should have embraced, and we could have stopped a practice that has been going on for over three decades. The senate made a decision that they didn't want to move that bill forward, assuming that the ethics reforms that they pushed over here were adequate enough and the governor should not be included in any ethics reform.

I came up with a concept. Over 18 months, I studied and went all over this state and around the country to look at all of the flooding that was taking place. We lost 150 million acre feet of water in an 18-month period because of all the

flooding in our basins. We don't have a regulatory scheme that allows us to capture that. We continue to struggle allowing all that water to go to the coastline without pulling out—

SPEAKER STRAUS: Mr. Larson, do you have a question?

LARSON: Yes, I do, but I'm trying to explain exactly what the bills that they did not refer to a committee over there did, so everybody understands the context of my concern. So we've lost an opportunity. When the next flooding occurs and we all look at those basins and we see the water traversing to the coastline, the Texas Senate made a decision that they didn't even want to hear that in Natural Resources. So I don't know. I've only been here four sessions, but when you start taking hostages, and that's what they did with my bills without consideration—I didn't do that in the committee that I chaired. I listened to all their bills, and I voted them out. I thought we were more magnanimous about looking at bills, more differential about what the content was in each of those bills.

But I want to know, Mr. Speaker, how many bills are in the same predicament that came out of the house? I've got six. How many other bills were held hostage by the Texas Senate? And I say this because we do have a local and consent calendar forthcoming tomorrow.

SPEAKER: Mr. Larson, the chair can research and find those numbers for you.

LARSON: Could you give the number of bills that have been held in that same status in the Texas Senate that my six bills were?

SPEAKER: We'll look it up.

LARSON: How many in this house have bills held up in the Texas Senate right now?

REPRESENTATIVE DUTTON: Mr. Larson, thank you for question. I have your answer. There are 21 members in this house who have had bills that passed this house and went to the senate that the senate refused to even refer them to committees: Dan Huberty, Sarah Davis, Donna Howard, Ken King, Representative Bernal, Representative Villalba, J. D. Sheffield, John Smithee, Andrew Murr, Alma Allen, Rick Miller, Trent Ashby, Drew Springer, Eddie Lucio III, Lyle Larson, Roland Gutierrez, Morgan Meyer, Tracy King, Dwayne Bohac, and Representative S. Thompson. And for me, let me tell you, members, what it is. For example, on April 10, Chairman Smithee sent a bill to the senate, **HB 1021**; it still hadn't been referred to a committee. On April 18, Representative Larson sent a bill, **HB 2005**, to the senate; it hadn't been referred. On April 24, Chairwoman Davis sent **HB 2477** to the senate; it didn't get referred. **HB 122**, which this house passed with 92 votes, still has not received even the respect of being referred to committee. And as Chairwoman Thompson just said, as I reminded you last session, "When the senate won't respect us, they need to expect us."

Mr. Speaker, I don't know if they can listen, if they can see us, but would you have them open the door so they can hear us? Because we need to tell them. Mr. Speaker, we need to say to the senate, you're either going to respect us or we're going to come over there so you'll have to expect us. Because we're going

to not take it any more, and we have decided that this is either two houses or no houses. And so with that, Mr. Speaker, I hope that answers Mr. Larson's question, because I don't know again what the senate expects, but I do know that they have to respect us. And if they won't respect us, we have to do whatever we can to make sure that they do. And tomorrow, as Chairman Larson has said, the 21 members who have bills that have died in the senate, 22 members, tomorrow, all of their sisters and brothers over here from the house will be joining them in the funeral cortege. So I just want the senate to understand that they have to give this house the due respect.

When we passed **HB 122**, I understand that there are people over there now saying we need to study this. We studied it for eight years, members; forty-four other states are doing it.

SPEAKER: Mr. Dutton, I think the inquiry has been answered. Thank you.

DUTTON: Mr. Speaker, thank you. I don't think the senate has answered us, but tomorrow they'll get our answer.

REMARKS ORDERED PRINTED

Representative Hinojosa moved to print remarks between Representative Larson and Representative Dutton.

The motion prevailed.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 762 ON SECOND READING (Moody - House Sponsor)

SB 762, A bill to be entitled An Act relating to the prosecution of offenses involving cruelty to animals; increasing a criminal penalty.

SB 762 was read second time on May 22, postponed until 5 p.m. May 22, and was again postponed until 6 a.m. today.

Amendment No. 1

Representative Uresti offered the following amendment to **SB 762**:

Amend **SB 762** by adding the following appropriately numbered Subsection:

SECTION _____. It is a defense to prosecution under Section 46.02, 46.03, and this section for a code enforcement office holding a certificate of registration under Chapter 1952, Occupations Code, and in the performance of the officer's official duties possesses or carries an instrument or club used specifically for deterring the bite of an animal while the officer is on duty.

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Tinderholt offered the following amendment to **SB 762**:

Amend **SB 762** (house committee printing) by striking lines 14 through 16, and substituting "state jail felony".

(Paddie in the chair)

Amendment No. 2 - Point of Order

Representative E. Rodriguez raised a point of order against further consideration of Amendment No. 2 under Rule 11, Section 2 and Rule 11, Section 3 of the House Rules on the grounds that the amendment is not germane to the bill and the amendment would change the original purpose of the bill.

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence temporarily for today because of important business in the district:

Dukes on motion of Rose.

SB 762 - (consideration continued)

Amendment No. 2 - Point of Order Disposition

The chair overruled the point of order and submitted the following statement:

Representative E. Rodriguez raised a point of order against further consideration of Representative Tinderholt's Amendment No. 2 to **SB 762** under Rule 11, Section 2 and Rule 11, Section 3 of the House Rules on the grounds that the amendment is not germane and changes the original purpose of the bill. The point of order is respectfully overruled.

Amendment No. 2 by Representative Tinderholt would have struck lines 14 through 16 of **SB 762**, making an offense involving cruelty to animals "a felony of the third degree, except that the offense is a felony of the second degree if the person has previously been convicted" and replaced it with "state jail felony." Representative E. Rodriguez and others argue that this amendment is not germane and changes the original purpose of the bill.

SB 762 would "amend the Penal Code to increase from a state jail felony to a third degree felony the penalty for cruelty to a non-livestock animal offense that involves torturing an animal in a cruel manner, killing or causing serious bodily injury to an animal. . . ." Amendment No. 2 by Tinderholt is germane to the bill because it deals with the same offense of the original bill. Additionally, Amendment No. 2 does not change the original purpose of the bill. The enhancement provisions of Section 1 of the bill, § 42.092 of the Penal Code, still remain. Because Amendment No. 2 is germane and does not change the original purpose of the bill, the point of order is respectfully overruled.

Amendment No. 2 was adopted by (Record 1646): 83 Yeas, 60 Nays, 3 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Cook; Cosper; Craddick; Cyrier; Davis, Y.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden;

Gutierrez; Hefner; Holland; Hunter; Kacal; Keough; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murr; Nevárez; Oliverson; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Wray; Zedler.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Clardy; Coleman; Collier; Cortez; Darby; Davis, S.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Laubenberg; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Villalba; Vo; Walle; Workman; Wu; Zerwas.

Present, not voting — Mr. Speaker; Lambert; Paddie(C).

Absent, Excused — Dukes.

Absent — Dale; Isaac; Koop.

STATEMENTS OF VOTE

When Record No. 1646 was taken, I was shown voting yes. I intended to vote no.

Burkett

When Record No. 1646 was taken, I was in the house but away from my desk. I would have voted yes.

Dale

When Record No. 1646 was taken, I was excused because of important business in the district. I would have voted no.

Dukes

When Record No. 1646 was taken, I was shown voting yes. I intended to vote no.

Gutierrez

When Record No. 1646 was taken, I was in the house but away from my desk. I would have voted yes.

Isaac

When Record No. 1646 was taken, I was shown voting no. I intended to vote yes.

Murphy

When Record No. 1646 was taken, I was shown voting yes. I intended to vote no.

Phelan

Amendment No. 3

Representative Lucio offered the following amendment to **SB 762**:

Amend **SB 762** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Article 42A.511, Code of Criminal Procedure, is amended to read as follows:

Art. 42A.511. COMMUNITY SUPERVISION FOR CERTAIN OFFENSES INVOLVING ANIMALS. (a) If a judge grants community supervision to a defendant convicted of an ~~off~~ offense under Section 42.09, 42.091, 42.092, or 42.10, Penal Code, the judge may require the defendant to:

(1) complete an online responsible pet owner course approved and certified by the Texas Department of Licensing and Regulation; or

(2) attend a responsible pet owner course sponsored by a municipal animal shelter, as defined by Section 823.001, Health and Safety Code, that:

(A) [~~+~~] receives federal, state, county, or municipal funds; and

(B) [~~+~~] serves the county in which the court is located.

(b) For purposes of the online responsible pet owner course described by Subsection (a)(1), the Texas Department of Licensing and Regulation or the Texas Commission of Licensing and Regulation, as appropriate:

(1) is responsible for the approval, certification, and administration of the course and course providers;

(2) may charge fees for:

(A) initial and renewal course certifications;

(B) initial and renewal course provider certifications;

(C) course participant completion certificates; and

(D) other fees necessary for the administration of the course and course providers;

(3) shall adopt rules regarding the administration of the course and course providers, including rules regarding:

(A) the criteria for course approval and certification;

(B) the criteria for course provider approval and certification;

(C) curriculum development;

(D) course length and content;

(E) criteria for a participant to complete the course; and

(F) a course completion certificate that is acceptable to a court;

(4) is authorized to monitor and audit the provision of the course by the course providers; and

(5) may take enforcement actions as appropriate to enforce this subsection.

SECTION _____. Not later than March 1, 2018, the Texas Department of Licensing and Regulation or the Texas Commission of Licensing and Regulation, as appropriate, shall adopt rules to implement Article 42A.511, Code of Criminal Procedure, as amended by this Act.

Amendment No. 3 was adopted.

SB 762, as amended, was passed to third reading by (Record 1647): 97 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Davis, Y.; Dean; Deshotel; Dutton; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Lang; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Murphy; Neave; Nevárez; Oliveira; Ortega; Perez; Phelan; Pickett; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Schofield; Shaheen; Sheffield; Smithee; Springer; Stephenson; Stickland; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Wray; Wu.

Nays — Bailes; Biedermann; Burns; Burrows; Button; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Elkins; Faircloth; Gooden; Hefner; Holland; Isaac; Kacal; Keough; Krause; Landgraf; Larson; Leach; Metcalf; Murr; Parker; Paul; Price; Roberts; Sanford; Schaefer; Schubert; Simmons; Tinderholt; White; Wilson; Workman; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Paddie(C).

Absent, Excused — Dukes.

Absent — Burkett; Herrero; Morrison; Muñoz; Oliverson; Phillips; Raney; Rose; Shine; Swanson; Walle.

STATEMENTS OF VOTE

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Biedermann

When Record No. 1647 was taken, I was in the house but away from my desk. I would have voted yes.

Burkett

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Cyrier

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Dale

When Record No. 1647 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Gooden

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Hefner

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Isaac

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Keough

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1647 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1647 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

When Record No. 1647 was taken, I was in the house but away from my desk. I would have voted yes.

Muñoz

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Sanford

When Record No. 1647 was taken, I was shown voting yes. I intended to vote no.

Stickland

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Tinderholt

When Record No. 1647 was taken, I was shown voting no. I intended to vote yes.

Wilson

REASON FOR VOTE

The amendment by Tinderholt dropped the current penalty. To vote no keeps current law, which is too strong.

Keough

(Speaker in the chair)

EMERGENCY CALENDAR SENATE BILLS SECOND READING

The following bills were laid before the house and read second time:

SB 5 ON SECOND READING (P. King - House Sponsor)

SB 5, A bill to be entitled An Act relating to requiring a voter to present proof of identification; providing a criminal penalty.

REMARKS ORDERED PRINTED

Representative Anchia moved to print all remarks on **SB 5**.

The motion prevailed. [Please refer to the supplement to this journal for the text of the debate on **SB 5**.]

Amendment No. 1

Representative Anchia offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 1, line 4, by striking the enacting clause.

(Cyrier in the chair)

Amendment No. 1 was withdrawn.

Amendment No. 2

Representative Dutton offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

- (1) On page 2, line 4, strike "(d), and (e)" and substitute "(d), (e), and (h)".
- (2) On page 2, between lines 26 and 27, insert the following:
 - (h) The requirements for identification prescribed by Subsection (b) do not apply to a voter who:
 - (1) is disabled and presents the voter's voter registration certificate containing the indication described by Section 15.001(c) on offering to vote; or
 - (2) is personally known by one or more election officers serving at the polling place.

Representative P. King moved to table Amendment No. 2.

The motion to table prevailed by (Record 1648): 93 Yeas, 54 Nays, 2 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

STATEMENT OF VOTE

When Record No. 1648 was taken, I was excused because of important business in the district. I would have voted no.

Dukes

Amendment No. 3

Representative Dutton offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 2, line 9, strike "photo".

(2) On page 5, line 8, strike "photo" and substitute "[~~photo~~"]".

(3) On page 5, line 23, strike "or" and substitute "[~~or~~"]".

(4) On page 5, line 27, between "presentation" and the period, insert the following:

; or

(6) a voter's voter registration certificate

Amendment No. 3 failed of adoption by (Record 1649): 52 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Martinez;

Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

Absent — Hernandez; Lucio.

STATEMENT OF VOTE

When Record No. 1649 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 4

Representative J. Johnson offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 1, line 6, strike "Section 31.013" and substitute "Sections 31.013 and 31.014".

(2) On page 2, between lines 2 and 3, insert the following:

Sec. 31.014. ANNUAL REPORT REGARDING DECLARATION OF REASONABLE IMPEDIMENT. (a) Not later than December 1 of each year and in the form prescribed by the secretary of state, each county clerk shall provide to the secretary of state a report on the voters who execute a declaration of reasonable impediment described by Section 63.001(i). The report must include a demographic breakdown of the voters by race and ethnicity. Not later than February 1 of each year, the secretary of state shall compile the information provided under this section and report to the standing committee of each house of the legislature with jurisdiction over elections.

(b) The secretary of state shall adopt rules necessary for the implementation of this section.

(3) On page 4, line 5, between "voter to" and "sign", insert "indicate the voter's race or ethnicity and".

Amendment No. 4 failed of adoption by (Record 1650): 54 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

Absent — Geren.

STATEMENTS OF VOTE

When Record No. 1650 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

When Record No. 1650 was taken, my vote failed to register. I would have voted no.

Geren

Amendment No. 5

Representative Turner offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 2, line 4, strike "Subsection (i)" and substitute "Subsections (c-1) and (i)".

(2) On page 2, between lines 13 and 14, insert the following:

(c-1) An election officer may not refuse to accept documentation presented to meet the requirements of Subsection (b) solely because the address on the documentation does not match the address on the list of registered voters.

Amendment No. 5 was adopted.

Amendment No. 6

Representative Turner offered the following amendment to **SB 5**:

Amend **SB 5** (house committee report) as follows:

(1) On page 2, line 4, strike ", (d),".

(2) On page 2, strike lines 14 through 19.

(3) On page 2, line 23, strike "of reasonable impediment" and substitute "described by Subsection (i)".

(4) Strike page 2, line 27 through page 4, line 13 and substitute the following:

(i) If the requirement for identification prescribed by Subsection (b)(1) is not met, an election officer shall notify the voter that the voter may be accepted for voting if the voter meets the requirement for identification prescribed by Subsection (b)(2) and executes a declaration under penalty of perjury declaring the voter's identity. The secretary of state shall prescribe the following form of the declaration:

DECLARATION OF VOTER'S IDENTITY TO BE COMPLETED BY VOTER
Name: _____

VOTER'S DECLARATION OF IDENTITY

By signing this declaration, I swear or affirm under penalty of perjury that my name is listed as _____ on the official voter registration list, that I am that person, and that I currently reside at _____

Signature of Voter Date

Sworn to and subscribed before me this
_____ day of _____, 20____

Presiding Judge

(5) On page 3, lines 7 and 8, strike "or Section 63.0013".

(6) On page 3, line 12, strike "or Section 63.0013".

(7) On page 4, strike lines 14 through 21.

(8) On page 5, line 4, strike "of reasonable impediment".

(9) On page 7, strike lines 1 and 2 and substitute the following:

(4) the declaration described by Section 63.001(i);

(10) Renumber the SECTIONS of the bill accordingly.

Amendment No. 6 failed of adoption by (Record 1651): 54 Yeas, 90 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Cook; Cospers; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

Absent — Cain; Krause; Sanford.

STATEMENTS OF VOTE

When Record No. 1651 was taken, I was in the house but away from my desk. I would have voted no.

Cain

When Record No. 1651 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

When Record No. 1651 was taken, I was in the house but away from my desk. I would have voted no.

Krause

When Record No. 1651 was taken, I was in the house but away from my desk. I would have voted no.

Sanford

Amendment No. 7

Representative Moody offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

- (1) On page 4, line 18, strike "intentionally" and substitute "knowingly".
- (2) On page 4, lines 20 and 21, strike "felony of the third degree" and substitute "state jail felony".
- (3) Add the following appropriately numbered SECTION to the bill:
SECTION _____. Section 37.03, Penal Code, is amended by adding Subsection (c) to read as follows:

(c) It is an exception to the application of an offense under this section that the conduct engaged in by the actor is making a false statement on a declaration described by Section 63.001(i), Election Code.

(4) Renumber the SECTIONS of the bill accordingly.

Amendment No. 7 was withdrawn.

Amendment No. 8

Representative Ortega offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 1, line 6, strike "Section 31.013" and substitute "Sections 31.013 and 31.014".

(2) On page 2, between lines 2 and 3, insert the following:

Sec. 31.014. VOTER TURNOUT STRATEGIC PLAN. (a) The secretary of state shall prepare and implement a strategic plan aimed at making all affected citizens of this state aware of their ability to use mobile locations for obtaining election identification certificates, the use of a declaration of reasonable impediment, and documentation that is acceptable proof of identification.

(b) In developing the plan, the secretary of state shall use evidence-based methods of increasing voter turnout using the methods described by Subsection (a) and shall collaborate with institutions of higher education to determine the most appropriate measures of success and develop performance benchmarks for the use of those methods.

(c) Not later than December 1 of each even-numbered year, the secretary of state shall report on the progress of the strategic plan under this section, using the most recently updated data, to the standing committee of each house of the legislature with primary jurisdiction over election matters.

(d) This section expires January 1, 2023.

(3) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. The secretary of state shall adopt the strategic plan under Section 31.014, Election Code, as added by this Act, not later than January 1, 2018, to be fully implemented not later than December 31, 2022.

Amendment No. 8 was withdrawn.

Amendment No. 9

Representative Howard offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 4, line 19, between "Section 63.001(i)" and the underscored period, by inserting "with the intent to commit an offense under Section 64.012".

Amendment No. 9 failed of adoption by (Record 1652): 52 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Minjarez; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

Absent — Martinez; Moody.

STATEMENT OF VOTE

When Record No. 1652 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 1).

SB 5 - (consideration continued)

Amendment No. 10

Representative Ortega offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 1, line 6, strike "Section 31.013" and substitute "Sections 31.013 and 31.014".

(2) On page 2, between lines 2 and 3, insert the following:

Sec. 31.014. VOTER TURNOUT STRATEGIC PLAN. (a) The secretary of state shall prepare and implement a strategic plan aimed at making all affected citizens of this state aware of their ability to use mobile locations for obtaining election identification certificates, the use of a declaration of reasonable impediment, and documentation that is acceptable proof of identification.

(b) Not later than December 1 of each even-numbered year, the secretary of state shall report on the progress of the strategic plan under this section, using the most recently updated data, to the standing committee of each house of the legislature with primary jurisdiction over election matters.

(c) This section expires January 1, 2023.

(3) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. The secretary of state shall adopt the strategic plan under Section 31.014, Election Code, as added by this Act, not later than January 1, 2018, to be fully implemented not later than December 31, 2022.

Amendment No. 10 was adopted.

Amendment No. 11

Representative Herrero offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 4, between lines 21 and 22, by inserting the following:

(c) It is an affirmative defense to prosecution under this section that a voter made a mistake of fact or was provided with incorrect information by an election officer.

Amendment No. 11 failed of adoption by (Record 1653): 53 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

Absent — Perez.

STATEMENT OF VOTE

When Record No. 1653 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 12

Representative E. Rodriguez offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 4, between lines 21 and 22, by inserting the following:

(c) It is an affirmative defense to prosecution under this section that the person executing the declaration is the person who that person purports to be, that the person executing the declaration is eligible to vote in the election, votes or attempts to vote only once in the election, and marks the appropriate ballot style for the precinct in which the person resides.

Amendment No. 12 failed of adoption by (Record 1654): 54 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Cyrier(C).

Absent, Excused — Dukes.

Absent — VanDeaver.

STATEMENT OF VOTE

When Record No. 1654 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 13

Representative Lucio offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 2, line 4, between "(b)," and "(d)", insert "(c)".

(2) On page 2, between lines 13 and 14, insert the following:

(c) On presentation of the documentation required under Subsection (b), an election officer shall determine whether the voter's name on the documentation is on the list of registered voters for the precinct. If in making a determination under this subsection the election officer determines under standards adopted by the secretary of state that the voter's name on the documentation is substantially similar to but does not match exactly with the name on the list, the voter shall be accepted for voting under Subsection (d) ~~[if the voter submits an affidavit stating that the voter is the person on the list of registered voters].~~

Amendment No. 13 was withdrawn.

Amendment No. 14

Representative Moody offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 4, lines 20 and 21, by striking "felony of the third degree" and substituting "Class A misdemeanor".

Amendment No. 14 was adopted.

Amendment No. 15

Representative Giddings offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

- (1) On page 5, line 13, strike "two years" and substitute "four years".
- (2) On page 5, line 17, strike "two years" and substitute "four years".
- (3) On page 5, line 22, strike "two years" and substitute "four years".
- (4) On page 5, line 26, strike "two years" and substitute "four years".

Amendment No. 15 was adopted.

Amendment No. 16

Representative Goldman offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 5, line 21, between "passport" and "issued", insert "book or card".

Amendment No. 16 was adopted.

Amendment No. 17

Representative Lucio offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) by adding the following appropriately numbered SECTION and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 63.012(b), Election Code, is amended to read as follows:

- (b) An offense under this section is a Class A ~~[B]~~ misdemeanor.

Amendment No. 17 was adopted.

Amendment No. 18

Representative Anchia offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 5, line 23, strike "or" and substitute "[~~or~~"]".

(2) On page 5, line 27, between "presentation" and the period, insert the following:

; or

(6) an identification card that:

(A) contains the person's photograph;

(B) contains the person's birth month and birth year; and

(C) is issued by a federal, state, or local government that uses a verification process that is approved by the secretary of state to identify a person before issuing the identification card

(Speaker in the chair)

Amendment No. 18 failed of adoption by (Record 1655): 54 Yeas, 94 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes.

STATEMENT OF VOTE

When Record No. 1655 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 19

Representatives Nevárez, González, Blanco, and White offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 5, line 23, strike "or" and substitute "[~~or~~]".

(2) On page 5, line 27, between "presentation" and the period, insert the following:

; or

(6) an official Native American tribal document that:

(A) contains the person's photograph; and

(B) is issued by a tribe that is federally recognized and located in

this state

Amendment No. 19 failed of adoption by (Record 1656): 61 Yeas, 85 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, T.; Leach; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phelan; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; White; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Huberty; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Dukes.

Absent — Canales; Laubenberg.

STATEMENTS OF VOTE

When Record No. 1656 was taken, I was shown voting no. I intended to vote yes.

Ashby

When Record No. 1656 was taken, I was in the house but away from my desk. I would have voted yes.

Canales

When Record No. 1656 was taken, I was shown voting no. I intended to vote yes.

Clardy

When Record No. 1656 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

When Record No. 1656 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1656 was taken, I was shown voting no. I intended to vote yes.

Springer

Amendment No. 20

Representative Herrero offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 4, line 2, strike "and".

(2) On page 4, line 4, immediately following the underlined semicolon, add the following:

and

(H) an impediment not listed, with a place for the voter to describe the impediment;

(Goldman in the chair)

Amendment No. 20 failed of adoption by (Record 1657): 52 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tindholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Dukes.

Absent — Coleman; Walle.

STATEMENT OF VOTE

When Record No. 1657 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 21

Representative Walle offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) as follows:

(1) On page 5, line 23, strike "or" and substitute "[~~or~~"]".

(2) On page 5, line 27, between "presentation" and the period, insert the following:

; or

(6) a student identification card that contains the person's photograph and date of birth issued by a public or private high school or by an institution of higher education or a private or independent institution of higher education as those terms are defined by Section 61.003, Education Code

Amendment No. 21 failed of adoption by (Record 1658): 54 Yeas, 92 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Dukes.

Absent — Stephenson.

STATEMENT OF VOTE

When Record No. 1658 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 22

Representative Herrero offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) on page 6, line 15, by striking "70 years of age or older" and substituting "65 years of age or older".

Amendment No. 22 failed of adoption by (Record 1659): 55 Yeas, 90 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Murr; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Dukes.

Absent — Frank; Villalba.

STATEMENT OF VOTE

When Record No. 1659 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 23

Representative J. Rodriguez offered the following amendment to **SB 5**:

Amend **SB 5** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.014 to read as follows:

Sec. 31.014. REPORT ON EXPENDITURES FOR VOTER EDUCATION PROGRAMS. (a) The secretary of state shall prepare a report on the expenditures for its voter education programs for each general election including:

- (1) the total amount spent for voter education;
- (2) the name of and amount paid to each vendor under all voter education programs;
- (3) the amount spent on voter education advertising programs itemized by the language used to communicate;
- (4) an estimated number of voters that the voter education programs reached;
- (5) the primary and secondary demographics targeted through each medium and in each media designated market area as determined by Nielsen Media Research as of September 1, 2017;
- (6) the media designated market areas where television, radio, print, or outdoor advertisements were placed;
- (7) the expenditures for each medium in each media designated market area;
- (8) the total amount expended on digital marketing with an explanation of each form of digital marketing utilized and how digital marketing was targeted by demographic, market, and language;
- (9) the total number of digital impressions achieved in each form of digital marketing;
- (10) the number of digital impressions in each form of digital advertising that were viewed 100 percent;
- (11) the saturation and cost per point of advertisements in each media designated market area; and
- (12) the name of each organization the secretary of state collaborated with or distributed voter education material to.

(b) The secretary of state may only enter into a contract with a vendor that agrees to release the information required by Subsection (a).

(c) Not later than January 31 of each odd-numbered year, the secretary of state shall deliver the report to the committees of each house of the legislature with jurisdiction over elections.

SECTION _____. Not later than December 1, 2017, the secretary of state shall prepare a report on the expenditures of the 2016 general election voter education programs, including all the information required by Section 31.014, Election Code, as added by this Act, and deliver the report to the committees of each house of the legislature with jurisdiction over elections.

Amendment No. 23 was withdrawn.

Amendment No. 24

Representative Arévalo offered the following amendment to **SB 5**:

Amend **SB 5** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter E, Chapter 31, Election Code, is amended by adding Section 31.125 to read as follows:

Sec. 31.125. ELECTION IDENTIFICATION CERTIFICATES. (a) The county clerk shall provide a location at the county clerk's office and at each subcourthouse located in the county for the Department of Public Safety to issue an election identification certificate under Section 521A.001, Transportation Code, during all regular business hours.

(b) The secretary of state shall negotiate an agreement that the Department of Public Safety and each county clerk shall enter into for the purpose of issuing election identification certificates under this section.

Amendment No. 24 failed of adoption by (Record 1660): 53 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Dukes.

Absent — King, T.

STATEMENT OF VOTE

When Record No. 1660 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

Amendment No. 25

Representative Israel offered the following amendment to **SB 5**:

Amend **SB 5** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 18.069, Election Code, is amended to read as follows:

Sec. 18.069. VOTING HISTORY. (a) Not later than the 30th day after the date of the primary, runoff primary, or general election or any special election ordered by the governor, the registrar shall electronically submit to the secretary of state the record of each voter participating in the election. The record must include a notation of whether the voter:

(1) voted on election day; [7]

(2) voted early by personal appearance; [7]

(3) voted early by mail under Chapter 86; [, or]

(4) voted early by mail under Chapter 101; or

(5) voted provisionally, whether the ballot was counted or not, and the reason the voter cast a provisional ballot.

(6) voted using a reasonable impediment declaration and the reason the voter used the reasonable impedient declaration.

(b) The secretary of state shall adopt rules to implement this section.

Amendment No. 25 failed of adoption by (Record 1661): 55 Yeas, 89 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Paul; Phelan; Phillips; Price; Raney; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Dukes.

Absent — Ashby; Craddick; Parker.

STATEMENTS OF VOTE

When Record No. 1661 was taken, I was in the house but away from my desk. I would have voted no.

Craddick

When Record No. 1661 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

When Record No. 1661 was taken, my vote failed to register. I would have voted no.

Parker

When Record No. 1661 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

Amendment No. 26

Representative J. Rodriguez offered the following amendment to **SB 5**:

Amend **SB 5** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Subchapter A, Chapter 31, Election Code, is amended by adding Section 31.014 to read as follows:

Sec. 31.014. REPORT ON EXPENDITURES FOR VOTER EDUCATION PROGRAMS. (a) The secretary of state shall prepare a report on the expenditures for its voter education programs for each general election detailing expenditures by each medium, vendor and the targeted voter demographic.

(b) Not later than January 31 of each odd-numbered year, the secretary of state shall deliver the report to the committees of each house of the legislature with jurisdiction over elections.

SECTION _____. Not later than December 1, 2017, the secretary of state shall prepare a report on the expenditures of the 2016 general election voter education programs, including all the information required by Section 31.014, Election Code, as added by this Act, and deliver the report to the committees of each house of the legislature with jurisdiction over elections.

Amendment No. 26 was adopted.

Amendment No. 27

Representative Alonzo offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill appropriately:

SECTION _____. (a) Before this Act may be implemented, the secretary of state, attorney general, or other state officer shall submit this Act to the United States Attorney General to determine whether this Act has the purpose or effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 52 U.S.C. Section 10301.

(b) If the United States Attorney General determines that this Act has the purpose or effect of denying or abridging the right to vote on account of race or color or in contravention of the guarantees set forth in 52 U.S.C. Section 10301, the provisions of law to which the United States Attorney General made that determination are void and unenforceable and the secretary of state, attorney general, or other state officer may not pursue further action.

Amendment No. 27 failed of adoption by (Record 1662): 54 Yeas, 89 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, P.; Klick; Koop; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Duker.

Absent — Craddick; King, K.; Krause; Smithee.

STATEMENTS OF VOTE

When Record No. 1662 was taken, I was in the house but away from my desk. I would have voted no.

Craddick

When Record No. 1662 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

When Record No. 1662 was taken, I was in the house but away from my desk. I would have voted no.

Smithee

Amendment No. 28

Representative Alonzo offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. This Act may not be implemented until the Supreme Court of the United States rules that the provisions of this Act are constitutional.

Amendment No. 28 failed of adoption by (Record 1663): 51 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Dukes.

Absent — Giddings; Oliveira; Pickett.

STATEMENT OF VOTE

When Record No. 1663 was taken, I was excused because of important business in the district. I would have voted yes.

Dukes

(Dukes now present)

Amendment No. 29

Representative E. Rodriguez offered the following amendment to **SB 5**:

Amend **SB 5** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. Section 15.022(a), Election Code, is amended to read as follows:

(a) The registrar shall make the appropriate corrections in the registration records, including, if necessary, deleting a voter's name from the suspense list:

(1) after receipt of a notice of a change in registration information under Section 15.021;

(2) after receipt of a voter's reply to a notice of investigation given under Section 16.033;

(3) after receipt of any affidavits executed under Section 63.007 ~~[63.006]~~, following an election;

(4) after receipt of a voter's statement of residence executed under Section 63.0011;

(5) before the effective date of the abolishment of a county election precinct or a change in its boundary;

(6) after receipt of United States Postal Service information indicating an address reclassification;

(7) after receipt of a voter's response under Section 15.053; or

(8) after receipt of a registration application or change of address under Chapter 20.

SECTION 2. Section 32.114(a), Election Code, is amended to read as follows:

(a) The county clerk shall provide one or more sessions of training using the standardized training program and materials developed and provided by the secretary of state under Section 32.111 for the election judges and clerks appointed to serve in elections ordered by the governor or a county authority. Each election judge shall complete the training program. ~~[Each election clerk shall complete the part of the training program relating to the acceptance and handling of the identification presented by a voter to an election officer under Section 63.001.]~~

SECTION 3. Sections 63.001(b), (c), (d), and (f), Election Code, are amended to read as follows:

(b) On ~~[Except as provided by Subsection (h), on]~~ offering to vote, a voter must present the voter's voter registration certificate to an election officer at the polling place [one form of identification described by Section 63.0101].

(c) On presentation of a registration certificate ~~[the documentation required under Subsection (b)]~~, an election officer shall determine whether the voter's name on the registration certificate ~~[documentation]~~ is on the list of registered voters for the precinct. ~~[If in making a determination under this subsection the election officer determines under standards adopted by the secretary of state that the voter's name on the documentation is substantially similar to but does not match exactly with the name on the list, the voter shall be accepted for voting under Subsection (d) if the voter submits an affidavit stating that the voter is the person on the list of registered voters.]~~

(d) If [~~as determined under Subsection (c);~~] the voter's name is on the precinct list of registered voters [~~and the voter's identity can be verified from the documentation presented under Subsection (b)~~], the voter shall be accepted for voting.

(f) After determining whether to accept a voter, an election officer shall return the voter's registration certificate [~~documentation~~] to the voter.

SECTION 4. Section 63.0011(a), Election Code, is amended to read as follows:

(a) Before a voter may be accepted for voting, an election officer shall ask the voter if the voter's residence address on the precinct list of registered voters is current and whether the voter has changed residence within the county. If the voter's address is omitted from the precinct list under Section 18.005(c), the officer shall ask the voter if the voter's residence as [~~if~~] listed [~~;~~] on the voter's voter registration certificate [~~identification presented by the voter under Section 63.001(b)~~] is current and whether the voter has changed residence within the county.

SECTION 5. Section 63.006, Election Code, is amended to read as follows:

Sec. 63.006. VOTER WITH CORRECT CERTIFICATE [~~REQUIRED DOCUMENTATION~~] WHO IS NOT ON LIST. (a) A voter who, when offering to vote, presents a voter registration certificate indicating that the voter is currently registered in the precinct in which the voter is offering to vote, [~~the documentation required under Section 63.001(b)~~] but whose name is not on the precinct list of registered voters, shall be accepted for voting [~~if the voter also presents a voter registration certificate indicating that the voter is currently registered:~~

[~~(1) in the precinct in which the voter is offering to vote; or~~

[~~(2) in a different precinct in the same county as the precinct in which the voter is offering to vote and the voter executes an affidavit stating that the voter:~~

[~~(A) is a resident of the precinct in which the voter is offering to vote or is otherwise entitled by law to vote in that precinct;~~

[~~(B) was a resident of the precinct in which the voter is offering to vote at the time the information on the voter's residence address was last provided to the voter registrar;~~

[~~(C) did not deliberately provide false information to secure registration in a precinct in which the voter does not reside; and~~

[~~(D) is voting only once in the election].~~

(b) After the voter is accepted, an election officer shall [~~;~~

[~~(1)~~] indicate beside the voter's name on the poll list that the voter was accepted under this section [~~and~~

[~~(2) enter the voter's name on the registration omissions list].~~

SECTION 6. Chapter 63, Election Code, is amended by adding Sections 63.007 and 63.008 to read as follows:

Sec. 63.007. VOTER WITH INCORRECT CERTIFICATE WHO IS NOT ON LIST. (a) A voter who, when offering to vote, presents a voter registration certificate indicating that the voter is currently registered in a different precinct

from the one in which the voter is offering to vote, and whose name is not on the precinct list of registered voters, shall be accepted for voting if the voter executes an affidavit stating that the voter:

(1) is a resident of the precinct in which the voter is offering to vote or is otherwise entitled by law to vote in that precinct;

(2) was a resident of the precinct in which the voter is offering to vote at the time the information on the voter's residence address was last provided to the voter registrar;

(3) did not deliberately provide false information to secure registration in a precinct in which the voter does not reside; and

(4) is voting only once in the election.

(b) After the voter is accepted, an election officer shall indicate beside the voter's name on the poll list that the voter was accepted under this section.

Sec. 63.008. VOTER WITHOUT CERTIFICATE WHO IS ON LIST. (a) A voter who does not present a voter registration certificate when offering to vote, but whose name is on the list of registered voters for the precinct in which the voter is offering to vote, shall be accepted for voting if the voter executes an affidavit stating that the voter does not have the voter's voter registration certificate in the voter's possession at the polling place at the time of offering to vote and the voter presents proof of identification in a form described by Section 63.0101.

(b) If the requirements prescribed by Subsection (a) are not met, the voter may be accepted for provisional voting only under Section 63.011.

SECTION 7. Section 63.009, Election Code, is amended to read as follows:

Sec. 63.009. VOTER WITHOUT CERTIFICATE WHO IS NOT ON LIST.

(a) Except as provided by Subsection (b), a ~~voter~~ voter who does not present a voter registration certificate when offering to vote, and whose name is not on the list of registered voters for the precinct in which the voter is offering to vote, shall be accepted for provisional voting if the voter executes an affidavit in accordance with Section 63.011.

(b) If an election officer can determine from the voter registrar that the person is a registered voter of the county and the person presents proof of identification, the affidavits required by Sections 63.007 and 63.008 are substituted for the affidavit required by Section 63.011 in complying with that section. After the voter is accepted under this subsection, an election officer shall also indicate beside the voter's name on the poll list that the voter was accepted under this section.

SECTION 8. Section 63.0101, Election Code, is amended to read as follows:

Sec. 63.0101. DOCUMENTATION OF PROOF OF IDENTIFICATION. The following documentation is ~~an~~ acceptable as proof ~~form~~ of ~~photo~~ identification under this chapter:

(1) a driver's license [~~election identification certificate,~~] or personal identification card issued to the person by the Department of Public Safety or a similar document issued to the person by an agency of another state, regardless of whether the license or card ~~[that]~~ has ~~[not]~~ expired ~~[or that expired no earlier than 60 days before the date of presentation];~~

(2) a form of identification containing the person's photograph that establishes the person's identity ~~[United States military identification card that contains the person's photograph that has not expired or that expired no earlier than 60 days before the date of presentation];~~

(3) a birth certificate or other document confirming birth that is admissible in a court of law and establishes the person's identity;

(4) United States citizenship papers ~~[certificate issued to the person that contains the person's photograph];~~

(5) ~~[~~(4)~~] a United States passport issued to the person [that has not expired or that expired no earlier than 60 days before the date of presentation];~~

(6) official mail addressed to the person by name from a governmental entity;

(7) a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter; or

(8) any other form of identification prescribed by the secretary of state

~~[or~~
~~(5) a license to carry a handgun issued to the person by the Department of Public Safety that has not expired or that expired no earlier than 60 days before the date of presentation].~~

SECTION 9. Sections 63.011(a) and (b), Election Code, are amended to read as follows:

(a) A person to whom Section 63.008(b) or 63.009(a) ~~[63.001(g) or 63.009]~~ applies may cast a provisional ballot if the person executes an affidavit stating that the person:

(1) is a registered voter in the precinct in which the person seeks to vote; and

(2) is eligible to vote in the election.

(b) A form for an affidavit required by this section must be printed on an envelope in which the provisional ballot voted by the person may be placed and must include~~[-~~

~~[(1)] a space for entering the identification number of the provisional ballot voted by the person[-and~~

~~[(2) a space for an election officer to indicate whether the person presented a form of identification described by Section 63.0101].~~

SECTION 10. Section 64.012(b), Election Code, is amended to read as follows:

(b) An offense under this section is a felony of the third ~~[second]~~ degree unless the person is convicted of an attempt. In that case, the offense is a Class A misdemeanor ~~[state jail felony].~~

SECTION 11. Section 65.054(b), Election Code, is amended to read as follows:

(b) A provisional ballot may ~~shall~~ be accepted only if the board determines that[~~;~~

~~[(1)]~~ from the information in the affidavit or contained in public records, the person is eligible to vote in the election and has not previously voted in that election[~~;~~

~~[(2) the person:~~

~~[(A) meets the identification requirements of Section 63.001(b) at the time the ballot was cast or in the period prescribed under Section 65.0541;~~

~~[(B) notwithstanding Chapter 110, Civil Practice and Remedies Code, executes an affidavit under penalty of perjury that states the voter has a religious objection to being photographed and the voter has consistently refused to be photographed for any governmental purpose from the time the voter has held this belief; or~~

~~[(C) executes an affidavit under penalty of perjury that states the voter does not have any identification meeting the requirements of Section 63.001(b) as a result of a natural disaster that was declared by the president of the United States or the governor, occurred not earlier than 45 days before the date the ballot was cast, and caused the destruction of or inability to access the voter's identification; and~~

~~[(3) the voter has not been challenged and voted a provisional ballot solely because the voter did not meet the requirements for identification prescribed by Section 63.001(b)].~~

SECTION 12. Section 66.0241, Election Code, is amended to read as follows:

Sec. 66.0241. CONTENTS OF ENVELOPE NO. 4. Envelope no. 4 must contain:

- (1) the precinct list of registered voters;
- (2) the registration correction list;
- (3) any statements of residence executed under Section 63.0011; and
- (4) any affidavits executed under Section 63.007 ~~[63.006]~~ or 63.011.

SECTION 13. (a) The following sections of the Election Code are repealed:

- (1) Section 13.002(i);
- (2) Section 15.001(c);
- (3) Section 15.005;
- (4) Section 31.012;
- (5) Section 32.111(c);
- (6) Section 62.016;
- (7) Sections 63.001(g) and (h);
- (8) Section 63.0012; and
- (9) Section 65.0541.

(b) Chapter 521A, Transportation Code, is repealed.

SECTION 14. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

Amendment No. 30

Representative Dutton offered the following amendment to Amendment No. 29.

Amend **SB 5** by adding a new section as follows:

____; Purpose: This bill is designed to increase the number of persons voting in Texas elections.

Amendment No. 30 was adopted.

Amendment No. 29, as amended, failed of adoption by (Record 1664): 54 Yeas, 93 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gonzales; Gooden; Hafner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent — Pickett.

(Speaker in the chair)

SB 5 - POINTS OF ORDER

Representatives E. Rodriguez, Moody, and Turner raised points of order against further consideration of **SB 5** under Rule 4, Section 32(c)(2) of the House Rules on the grounds that the bill analysis is incorrect.

The speaker overruled the points of order and submitted the following statement:

Rule 4, Section 32(c)(2) of the House Rules requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill," including "an analysis of the content of the bill."

The first point of order was raised by Representative E. Rodriguez. Representative E. Rodriguez argues that the bill analysis omits the seven impediments in Section 2 of the bill, which amends § 63.001(i)(3) of the Election Code. The seven impediments include lack of transportation, lack of document needed to obtain a photo ID, work, lost or stolen ID, disability or illness, family responsibilities, and a pending photo ID application. While the bill analysis does not list all seven impediments as desired by proponent, the bill analysis discusses "reasonable impediments" and the reasonable impediment declaration form and the impact of both items. Therefore, the bill analysis is not misleading. The first point of order is respectfully overruled.

The second point of order was raised by Representative Moody. Under Section 2 of the bill, § 63.001(i)(1) of the Election Code is amended to subject a person to prosecution for perjury for a false statement or false information on the declaration. Representative Moody points out that perjury is under the Penal Code. Separately, Section 3 of the bill adds § 63.0013 to the Election Code. Section 63.0013 states that a person commits an felony of the third degree if the person intentionally makes a false statement or provides false information on a declaration. Representative Moody argues that the second to last paragraph of the bill analysis incorrectly conflates the two penalties created in the bill, specifically the sentence "the bill subjects a person to prosecution for perjury under the Penal Code for a false statement or false information on the declaration and creates a third degree felony offense for a person who intentionally makes such a false statement or provides such false information." The use of the word "and" in the bill analysis indicates that the offenses are separate and should not be read together. The point of order is respectfully overruled.

The third, and final point of order was raised by Representative Turner. Representative Turner argues that the bill analysis incorrectly summarized the voter ID requirements. Specifically, that the term "voter identification requirement" is not defined in the bill. Because of this, Representative Turner argues that one would incorrectly believe that the phrase "includes as acceptable proof of identification for purposes of satisfying the voter identification requirement to be accepted as voter" to mean literally what that text says, and that items like government checks would be acceptable forms of identification. The chair agrees that the bill analysis would have been far more helpful had it mentioned the function of a declaration of reasonable impediment and its use much sooner, but the analysis eventually sufficiently describes this key component of the bill on page 2. After examining the entire bill and bill analysis, the chair does not find this omission misleading. The point of order is respectfully overruled.

SB 5, as amended, was passed to third reading by (Record 1665): 95 Yeas, 54 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Gutierrez; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Metcalf; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

STATEMENT OF VOTE

When Record No. 1665 was taken, I was shown voting yes. I intended to vote no.

Gutierrez

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 1913 ON THIRD READING

(S. Thompson, Wu, and Canales - House Sponsors)

SB 1913, A bill to be entitled An Act relating to the administrative, civil, and criminal consequences, including fines, fees, and costs, imposed on persons arrested for, charged with, or convicted of certain criminal offenses.

SB 1913 was read third time earlier today and was postponed until this time.

Amendment No. 1

Representative S. Thompson offered the following amendment to **SB 1913**:

Amend Floor Amendment No. ____ by S. Thompson to **SB 1913** by inserting "during or" in each of the following places:

- (1) page 1, line 5, after the underlined comma; and
- (2) page 1, line 28, after the underlined comma.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

Amendment No. 2

Representative S. Thompson offered the following amendment to **SB 1913**:

Amend Floor Amendment No. ____ by S. Thompson to **SB 1913** by adding the following appropriately numbered item to the amendment and renumbering subsequent items of the amendment accordingly:

(____) In the SECTION of the bill amending Article 45.014, Code of Criminal Procedure, in added Subsection (e), between "the defendant's failure to appear" and the underlined comma, insert "at the initial court setting".

Amendment No. 2 was adopted. (The vote was reconsidered later today, and Amendment No. 2 was withdrawn.)

Amendment No. 3

Representative Schofield offered the following amendment to **SB 1913**:

Amend **SB 1913** on third reading as follows:

(1) In the SECTION of the bill amending Article 42.15, Code of Criminal Procedure, strike added Subsection (a-1) and substitute the following:

(a-1) Notwithstanding any other provision of this article, after imposing a sentence in a case in which the defendant entered a plea in open court as provided by Article 27.13, 27.14(a), or 27.16(a), and the defendant signs an affidavit attesting that the defendant lacks sufficient income or resources to immediately pay all or part of the fine or court costs, a court shall inquire whether the defendant has sufficient resources or income to immediately pay all or part of the fine and costs. If the court determines that the defendant does not have sufficient resources or income to immediately pay all or part of the fine and costs, the court shall determine whether the fine and costs should be:

(1) subject to Subsection (c), required to be paid at some later date or in a specified portion at designated intervals;

(2) discharged by performing community service under, as applicable, Article 43.09(f), Article 45.049, Article 45.0492, as added by Chapter 227 (HB 350), Acts of the 82nd Legislature, Regular Session, 2011, or Article 45.0492, as added by Chapter 777 (HB 1964), Acts of the 82nd Legislature, Regular Session, 2011;

(3) waived in full or in part under Article 43.091 or 45.0491; or

(4) satisfied through any combination of methods under Subdivisions (1)-(3).

(2) In the SECTION of the bill amending Article 45.041, Code of Criminal Procedure, strike added Subsection (a-1) and substitute the following:

(a-1) Notwithstanding any other provision of this article, after imposing a sentence in a case in which the defendant entered a plea in open court as provided by Article 27.14(a) or 27.16(a), and the defendant signs an affidavit attesting that the defendant lacks sufficient income or resources to immediately pay all or part of the fine or court costs, the justice or judge shall inquire whether the defendant has sufficient resources or income to immediately pay all or part of the fine and

costs. If the justice or judge determines that the defendant does not have sufficient resources or income to immediately pay all or part of the fine and costs, the justice or judge shall determine whether the fine and costs should be:

(1) subject to Subsection (b-2), required to be paid at some later date or in a specified portion at designated intervals;

(2) discharged by performing community service under, as applicable, Article 45.049, Article 45.0492, as added by Chapter 227 (HB 350), Acts of the 82nd Legislature, Regular Session, 2011, or Article 45.0492, as added by Chapter 777 (HB 1964), Acts of the 82nd Legislature, Regular Session, 2011;

(3) waived in full or in part under Article 45.0491; or

(4) satisfied through any combination of methods under Subdivisions (1)-(3).

Amendment No. 3 was adopted.

Amendment No. 4

Representative Capriglione offered the following amendment to **SB 1913**:

Amend **SB 1913** on third reading as follows:

(1) In the SECTION of the bill amending Article 45.016, Code of Criminal Procedure, strike added Subsection (b) and substitute the following:

(b) The justice or judge may not, either instead of or in addition to the personal bond, require a defendant to give a bail bond unless:

(1) the defendant fails to appear in accordance with this code with respect to the applicable offense; and

(2) the justice or judge determines that:

(A) the defendant has sufficient resources or income to give a bail bond; and

(B) a bail bond is necessary to secure the defendant's appearance in accordance with this code.

(2) In the SECTION of the bill addressing the applicability of Article 45.016, Code of Criminal Procedure, as amended by the bill, strike "Article 45.016" and substitute "Articles 45.016, 45.051, and 45.0511".

(3) Add the following appropriately numbered SECTIONS to the bill and renumber subsequent SECTIONS of the bill accordingly:

SECTION _____. Article 45.051(a), Code of Criminal Procedure, is amended to read as follows:

(a) On a plea of guilty or nolo contendere by a defendant or on a finding of guilt in a misdemeanor case punishable by fine only and payment of all court costs, the judge may defer further proceedings without entering an adjudication of guilt and place the defendant on probation for a period not to exceed 180 days. In issuing the order of deferral, the judge may impose a special expense fee on the defendant in an amount not to exceed the amount of the fine that could be imposed on the defendant as punishment for the offense. The special expense fee may be collected at any time before the date on which the period of probation ends. The judge may elect not to impose the special expense fee for good cause shown by the defendant. If the judge orders the collection of a special expense fee, the judge shall require that the amount of the special expense fee be credited

toward the payment of the amount of the fine imposed by the judge. An order of deferral under this subsection terminates any liability under a [~~bail bond or an appearance~~] bond given for the charge.

SECTION _____. Article 45.0511(t), Code of Criminal Procedure, is amended to read as follows:

(t) An order of deferral under Subsection (c) terminates any liability under a [~~bail bond or appearance~~] bond given for the charge.

(Goldman in the chair)

Amendment No. 4 was withdrawn.

Amendment No. 5

Representative White offered the following amendment to **SB 1913**:

Amend **SB 1913** on third reading as follows:

(1) In the SECTION of the bill amending Article 27.14(b), Code of Criminal Procedure, strike "certified mail, return receipt requested," and substitute "regular [certified] mail[~~, return receipt requested,~~]"

(2) In the SECTION of the bill amending Article 43.09, Code of Criminal Procedure, in amended Subsection (h)(2), strike Paragraphs (B)-(E) and substitute the following:

(B) [✘] a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the court; or

(C) an educational institution.

(3) In the SECTION of the bill amending Article 45.049, Code of Criminal Procedure, in amended Subsection (c)(2), strike Paragraphs (B)-(E) and substitute the following:

(B) [✘] a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the justice or judge; or

(C) an educational institution.

(4) In the SECTION of the bill amending Article 45.0492, Code of Criminal Procedure, as added by Chapter 227 (**HB 350**), Acts of the 82nd Legislature, Regular Session, 2011, in amended Subsection (d)(2), strike Paragraphs (B)-(E) and substitute the following:

(B) [✘] a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the justice or judge; or

(C) an educational institution.

(5) In the SECTION of the bill amending Article 45.0492, Code of Criminal Procedure, as added by Chapter 777 (**HB 1964**), Acts of the 82nd Legislature, Regular Session, 2011, in amended Subsection (d)(2), strike Paragraphs (B)-(E) and substitute the following:

(B) [✘] a nonprofit organization or another organization that provides services to the general public that enhance social welfare and the general well-being of the community, as determined by the justice or judge; or

(C) an educational institution.

(6) In the SECTION of the bill amending Section 706.005, Transportation Code, in amended Subsection (a)(2) and added Subsection (b)(3), between "prejudice by" and "the appropriate prosecuting attorney", insert "motion of".

(7) In the SECTION of the bill amending Section 706.006, Transportation Code, in added Subsection (a)(2), between "prejudice by" and "the appropriate prosecuting attorney", insert "motion of".

Amendment No. 5 was adopted.

Amendment No. 6

Representative S. Thompson offered the following amendment to **SB 1913**:

Amend **SB 1913** on third reading by striking the SECTION of the bill that reads "This Act takes effect only if a specific appropriation for the implementation of the Act is provided in a general appropriations act of the 85th Legislature."

Amendment No. 6 was adopted by (Record 1666): 132 Yeas, 11 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Metcalf; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler.

Nays — Bonnen, D.; Dale; Hefner; Holland; Hunter; Isaac; Murr; Phillips; Sanford; Schaefer; Stephenson.

Present, not voting — Mr. Speaker; Goldman(C).

Absent — Darby; Frank; Gutierrez; Villalba; Zerwas.

STATEMENTS OF VOTE

When Record No. 1666 was taken, I was shown voting yes. I intended to vote no.

Flynn

When Record No. 1666 was taken, I was shown voting yes. I intended to vote no.

Rinaldi

Amendment No. 1 - Vote Reconsidered

Representative S. Thompson moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

Amendment No. 2 - Vote Reconsidered

Representative S. Thompson moved to reconsider the vote by which Amendment No. 2 was adopted.

The motion to reconsider prevailed.

Amendment No. 2 was withdrawn.

SB 1913, as amended, was passed by (Record 1667): 75 Yeas, 70 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Burkett; Button; Canales; Capriglione; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Lambert; Laubenberg; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Smithee; Stickland; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; White; Wilson; Wu.

Nays — Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Clardy; Cook; Cospser; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Hefner; Holland; Hunter; Isaac; Kacal; Keough; King, K.; Koop; Krause; Kuempel; Landgraf; Lang; Larson; Leach; Metcalf; Meyer; Miller; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schubert; Shaheen; Simmons; Springer; Stephenson; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent — Huberty; King, P.; Morrison.

STATEMENTS OF VOTE

When Record No. 1667 was taken, I was temporarily out of the house chamber. I would have voted no.

P. King

When Record No. 1667 was taken, I was in the house but away from my desk. I would have voted yes.

Morrison

**MAJOR STATE CALENDAR
SENATE BILLS
SECOND READING**

The following bills were laid before the house and read second time:

**SB 314 ON SECOND READING
(Flynn - House Sponsor)**

SB 314, A bill to be entitled An Act relating to the continuation and functions of the Texas Optometry Board; authorizing a reduction in fees.

SB 314 was passed to third reading.

SB 5 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Laubenberg, Representatives Geren, Parker, Sanford, and Laubenberg were authorized as house sponsors to **SB 5**.

SB 1913 - HOUSE SPONSOR AUTHORIZED

On motion of Representative S. Thompson, Representative White was authorized as a house sponsor to **SB 1913**.

SB 625 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Murphy, Representative Rinaldi was authorized as a house sponsor to **SB 625**.

**SB 224 ON SECOND READING
(S. Davis and Zerwas - House Sponsors)**

SB 224, A bill to be entitled An Act relating to the sunset review date for the Cancer Prevention and Research Institute of Texas and the time for awarding cancer research and prevention grants.

Amendment No. 1

Representative Parker offered the following amendment to **SB 224**:

Amend **SB 224** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 102.051(a), Health and Safety Code, is amended to read as follows:

(a) The institute:

(1) may make grants to provide funds to public or private persons to implement the Texas Cancer Plan, and may make grants to institutions of learning and to advanced medical research facilities and collaborations in this state for:

(A) research into the causes of and cures for all types of cancer in humans;

(B) facilities for use in research into the causes of and cures for cancer;

(C) research, including translational research, to develop therapies, protocols, medical pharmaceuticals, or procedures for the cure or substantial mitigation of all types of cancer in humans; ~~and~~

(D) cancer prevention and control programs in this state to mitigate the incidence of all types of cancer in humans; and

(E) programs designed to encourage access to and participation in cancer clinical trials and associated research and community outreach;

(2) may support institutions of learning and advanced medical research facilities and collaborations in this state in all stages in the process of finding the causes of all types of cancer in humans and developing cures, from laboratory research to clinical trials and including programs to address the problem of access to advanced cancer treatment;

(3) may establish the appropriate standards and oversight bodies to ensure the proper use of funds authorized under this chapter for cancer research and facilities development;

(4) may employ necessary staff to provide administrative support;

(5) shall continuously monitor contracts and agreements authorized by this chapter and ensure that each grant recipient complies with the terms and conditions of the grant contract;

(6) shall ensure that all grant proposals comply with this chapter and rules adopted under this chapter before the proposals are submitted to the oversight committee for approval; and

(7) shall establish procedures to document that the institute, its employees, and its committee members appointed under this chapter comply with all laws and rules governing the peer review process and conflicts of interest.

SECTION _____. The heading to Section 102.155, Health and Safety Code, is amended to read as follows:

Sec. 102.155. AD HOC ADVISORY COMMITTEES ~~[COMMITTEE]~~.

SECTION _____. Section 102.155(a), Health and Safety Code, is amended to read as follows:

(a) The oversight committee shall create ~~[an]~~ ad hoc committees ~~[committee]~~ of experts to address childhood cancers and access to and participation in cancer clinical trials. The oversight committee, as necessary, may create additional ad hoc committees of experts to advise the oversight committee on issues relating to cancer.

SECTION _____. Section 102.203(b), Health and Safety Code, is amended to read as follows:

(b) Except as otherwise provided by this section, money awarded under this subchapter may be used for authorized expenses, including honoraria, salaries and benefits, travel, conference fees and expenses, consumable supplies, other operating expenses, contracted research and development, capital equipment, ~~and~~ construction or renovation of state or private facilities, and reimbursement for costs incurred by cancer clinical trial participants that are related to the participation, including transportation and lodging.

Amendment No. 1 was adopted by (Record 1668): 112 Yeas, 32 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Meyer; Minjarez; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bonnen, D.; Burns; Burrows; Cain; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Hefner; Isaac; Keough; Krause; Landgraf; Lang; Metcalf; Miller; Murr; Phillips; Rinaldi; Sanford; Schubert; Shaheen; Shine; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker; Goldman(C).

Absent — Martinez; Moody; Schaefer; Schofield.

SB 224, as amended, was passed to third reading by (Record 1669): 108 Yeas, 39 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Anderson, C.; Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Cain; Cyrier; Dale; Elkins; Faircloth; Fallon; Frank; Hefner; Hunter; Isaac; Keough; Krause; Landgraf; Lang; Laubenberg; Leach; Metcalf; Miller; Murr; Paul; Phillips; Rinaldi; Sanford; Schaefer; Schubert; Simmons; Smithee; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker; Goldman(C).

Absent — Shaheen.

STATEMENT OF VOTE

When Record No. 1669 was taken, my vote failed to register. I would have voted no.

Shaheen

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 2).

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of illness:

Metcalf on motion of Phelan.

SB 224 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Price, Representative Coleman was authorized as a house sponsor to **SB 224**.

SB 1929 - HOUSE SPONSORS AUTHORIZED

On motion of Representative Price, Representatives Howard and Coleman were authorized as house sponsors to **SB 1929**.

SB 1929 ON SECOND READING (Burkett and Walle - House Sponsors)

SB 1929, A bill to be entitled An Act relating to maternal mortality and morbidity and pregnancy-related deaths, including postpartum depression.

Amendment No. 1

Representative Burkett offered the following amendment to **SB 1929**:

Amend **SB 1929** by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION ____ Chapter 34, Health and Safety Code, is amended by adding Section 34.0156 to read as follows:

Sec. 34.0156. REPORT ON MENTAL HEALTH SERVICES. (a) Not later than September 1, 2019, the task force, with assistance from the Texas Medical Board, Texas State Board of Social Worker Examiners, Texas State Board of Examiners of Marriage and Family Therapists, Texas State Board of Examiners of Psychologists, and Texas State Board of Examiners of Professional Counselors, shall:

(1) identify:

(A) the number of women seeking mental health services from a mental health care provider licensed by any of the boards listed in Subsection (a) relating to postpartum depression;

(B) the types of mental health services described by Paragraph (A) sought from the licensed provider and any mental health service sought that was outside the provider's scope of practice, including the prescription of medication; and

(C) the average number of visits by a woman described by Paragraph (A) with the mental health care provider;

(2) submit a report to the Sunset Advisory Commission that identifies the information described by Subdivision (1) but does not include any identifying information of a patient; and

(3) assist the Sunset Advisory Commission in analyzing the data submitted in the report to determine the need for mental health care providers in this state and the providers' ability to meet those mental health services needs.

(b) Notwithstanding any other provision of law, the Sunset Advisory Commission shall review each agency assisting the task force in completing the study and report required under Subsection (a) during the period in which state agencies scheduled to be reviewed or abolished in 2021 are reviewed, and unless continued in existence as provided by Chapter 325, Government Code, each agency is abolished and the law governing each agency and the law administered by the agency expire September 1, 2021.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Thierry offered the following amendment to **SB 1929**:

Amend **SB 1929** by striking the SECTION of the bill amending Section 34.005, Health and Safety Code, and substituting the following appropriately numbered SECTION:

SECTION _____. Section 34.005, Health and Safety Code, is amended to read as follows:

Sec. 34.005. DUTIES OF TASK FORCE. The task force shall:

(1) study and review:

(A) cases of pregnancy-related deaths; ~~and~~

(B) trends, rates, or disparities in pregnancy-related deaths and ~~in~~ severe maternal morbidity;

(C) health conditions and factors that disproportionately affect the most at-risk population as determined in the Mortality and Morbidity Task Force and Department of State Health Services Joint Biennial Report (July 2016); and

(D) best practices and programs operating in other states that have reduced maternal mortality and morbidity rates;

(2) compare rates of maternal mortality and morbidity based on the socioeconomic status of the mother;

(3) determine the feasibility of the task force studying cases of severe maternal morbidity; and

(4) ~~(3)~~ make recommendations to help reduce the incidence of pregnancy-related deaths and severe maternal morbidity in this state.

Amendment No. 2 was adopted.

SB 1929, as amended, was passed to third reading.

**CONSTITUTIONAL AMENDMENTS CALENDAR
SENATE JOINT RESOLUTIONS
SECOND READING**

The following resolutions were laid before the house and read second time:

**SJR 1 ON SECOND READING
(Fallon - House Sponsor)**

SJR 1, A joint resolution proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of all or part of the market value of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

SJR 1 was adopted by (Record 1670): 147 Yeas, 0 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Metcalf.

**SJR 34 ON SECOND READING
(Geren - House Sponsor)**

SJR 34, A joint resolution proposing a constitutional amendment limiting the service of certain officeholders after the expiration of the person's term of office.

SJR 34 was adopted by (Record 1671): 142 Yeas, 4 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Craddick; Isaac; Murr; Raney.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Metcalf.

Absent — Hefner.

STATEMENT OF VOTE

When Record No. 1671 was taken, I was shown voting yes. I intended to vote no.

E. Rodriguez

SJR 6 ON SECOND READING (Schofield and S. Thompson - House Sponsors)

SJR 6, A joint resolution proposing a constitutional amendment authorizing the legislature to require a court to provide notice to the attorney general of a challenge to the constitutionality of a state statute and authorizing the legislature to prescribe a waiting period before the court may enter a judgment holding the statute unconstitutional.

SJR 6 was adopted by (Record 1672): 136 Yeas, 9 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King,

T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Anchia; Cain; Collier; Cook; Israel; Rinaldi; Stickland; Tinderholt; Wu.

Present, not voting — Mr. Speaker; Goldman(C).

Absent, Excused — Metcalf.

Absent — Biedermann; Vo.

STATEMENT OF VOTE

When Record No. 1672 was taken, I was in the house but away from my desk. I would have voted no.

Biedermann

GENERAL STATE CALENDAR SENATE BILLS SECOND READING

The following bills were laid before the house and read second time:

CSSB 1148 ON SECOND READING **(G. Bonnen, Darby, et al. - House Sponsors)**

CSSB 1148, A bill to be entitled An Act relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state.

CSSB 1148 - POINT OF ORDER

Representative Moody raised a point of order against further consideration of **CSSB 1148** under Rule 4, Section 32(c) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative G. Bonnen moved to postpone consideration of **CSSB 1148** until 8:45 p.m. today.

The motion prevailed.

SB 15 ON SECOND READING **(Fallon - House Sponsor)**

SB 15, A bill to be entitled An Act relating to an exemption from ad valorem taxation of the residence homestead of the surviving spouse of a first responder who is killed or fatally injured in the line of duty.

(Speaker in the chair)

SB 15 was passed to third reading by (Record 1673): 147 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

CSSB 1553 ON SECOND READING
(Bernal - House Sponsor)

CSSB 1553, A bill to be entitled An Act relating to the refusal of entry to or ejection from school district property.

Amendment No. 1

Representative Meyer offered the following amendment to **CSSB 1553**:

Amend **CSSB 1553** (house committee report) as follows:

(1) Add the following appropriately numbered SECTION to the bill and renumber the SECTIONS of the bill accordingly:

SECTION _____. (a) Article 62.053(a), Code of Criminal Procedure, is amended to read as follows:

(a) Before a person who will be subject to registration under this chapter is due to be released from a penal institution, the Texas Department of Criminal Justice or the Texas Juvenile Justice Department shall determine the person's level of risk to the community using the sex offender screening tool developed or selected under Article 62.007 and assign to the person a numeric risk level of one, two, or three. Before releasing the person, an official of the penal institution shall:

(1) inform the person that:

(A) not later than the later of the seventh day after the date on which the person is released or after the date on which the person moves from a previous residence to a new residence in this state or not later than the first date the applicable local law enforcement authority by policy allows the person to register or verify registration, the person must register or verify registration with the local law enforcement authority in the municipality or county in which the person intends to reside;

(B) not later than the seventh day after the date on which the person is released or the date on which the person moves from a previous residence to a new residence in this state, the person must, if the person has not moved to an intended residence, report to the applicable entity or entities as required by Article 62.051(h) or (j) or 62.055(e);

(C) not later than the seventh day before the date on which the person moves to a new residence in this state or another state, the person must report in person to the local law enforcement authority designated as the person's primary registration authority by the department and to the juvenile probation officer, community supervision and corrections department officer, or parole officer supervising the person;

(D) not later than the 10th day after the date on which the person arrives in another state in which the person intends to reside, the person must register with the law enforcement agency that is identified by the department as the agency designated by that state to receive registration information, if the other state has a registration requirement for sex offenders;

(E) not later than the 30th day after the date on which the person is released, the person must apply to the department in person for the issuance of an original or renewal driver's license or personal identification certificate and a failure to apply to the department as required by this paragraph results in the automatic revocation of any driver's license or personal identification certificate issued by the department to the person;

(F) the person must notify appropriate entities of any change in status as described by Article 62.057; ~~and~~

(G) certain types of employment are prohibited under Article 62.063 for a person with a reportable conviction or adjudication for a sexually violent offense involving a victim younger than 14 years of age occurring on or after September 1, 2013; and

(H) if the person enters or goes within 25 feet of the premises of a school as described by Article 62.064 and is subject to the requirements of that article, the person must immediately notify the administrative office of the school of the person's presence and the person's registration status under this chapter;

(2) require the person to sign a written statement that the person was informed of the person's duties as described by Subdivision (1) or Subsection (g) or, if the person refuses to sign the statement, certify that the person was so informed;

(3) obtain the address or, if applicable, a detailed description of each geographical location where the person expects to reside on the person's release and other registration information, including a photograph and complete set of fingerprints; and

(4) complete the registration form for the person.

(b) Article 62.058, Code of Criminal Procedure, is amended by adding Subsection (g) to read as follows:

(g) A local law enforcement authority who provides a person with a registration form for verification as required by this chapter shall include with the form a statement and, if applicable, a description of the person's duty to provide notice under Article 62.064.

(c) Subchapter B, Chapter 62, Code of Criminal Procedure, is amended by adding Article 62.064 to read as follows:

Art. 62.064. ENTRY ONTO OR PRESENCE NEAR SCHOOL PREMISES; NOTICE REQUIRED. (a) In this article:

(1) "Premises" means a building or portion of a building and the grounds on which the building is located, including any public or private driveway, street, sidewalk or walkway, parking lot, or parking garage on the grounds.

(2) "School" has the meaning assigned by Section 481.134, Health and Safety Code.

(b) A person subject to registration under this chapter who enters the premises of any school in this state or goes within 25 feet of the premises of a school in this state during the standard operating hours of the school shall immediately notify the administrative office of the school of the person's presence on the premises of the school and the person's registration status under this chapter. The office may provide a chaperon to accompany the person while the person is on the premises of the school.

(c) The requirements of this article:

(1) are in addition to any requirement associated with the imposition of a child safety zone on the person under Section 508.187, Government Code, or Article 42A.453 of this code; and

(2) do not apply to:

(A) a student enrolled at the school; or

(B) a student from another school participating at an event at the school.

(d) The change in law made by this section applies to a person subject to registration under Chapter 62, Code of Criminal Procedure, for an offense committed or conduct that occurs before, on, or after the effective date of this section.

(e) This section takes effect September 1, 2017.

(2) On page 5, line 9, strike "This" and substitute "Except as otherwise provided by this Act, this".

Amendment No. 1 was adopted. (Rinaldi recorded voting no.)

CSSB 1553, as amended, was passed to third reading. (Rinaldi recorded voting no.)

SB 255 ON SECOND READING
(Simmons - House Sponsor)

SB 255, A bill to be entitled An Act relating to training for governmental entities and vendors, including purchasing and contract management training; authorizing fees.

Amendment No. 1

Representative Simmons offered the following amendment to **SB 255**:

Amend **SB 255** (house committee printing) as follows:

(1) On page 10, line 6, between "to" and "an", insert the following:

∴

(1) (1)
 (2) On page 10, line 7, between "Code" and the underscored period, insert the following:

; or

(2) a contract manager whose contract management duties relate primarily to contracts described by Section 2262.002(b)

(3) On page 10, between lines 22 and 23, add the following appropriately lettered subsection:

() This section does not apply to the Texas Transportation Commission.

Amendment No. 1 was adopted.

Amendment No. 2

Representatives Gooden, Shine, Button, White, and Muñoz offered the following amendment to **SB 255**:

Amend **SB 255** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Sections 2252.908(c) and (e), Government Code, are amended to read as follows:

(c) Notwithstanding Subsection (b), this section does not apply to:

(1) a sponsored research contract of an institution of higher education;

(2) an interagency contract of a state agency or an institution of higher education; ~~or~~

(3) a contract related to health and human services if:

(A) the value of the contract cannot be determined at the time the contract is executed; and

(B) any qualified vendor is eligible for the contract;

(4) a contract with a publicly traded business entity, including a wholly owned subsidiary of the business entity;

(5) a contract with an electric utility, as that term is defined by Section 31.002, Utilities Code; or

(6) a contract with a gas utility, as that term is defined by Section 121.001, Utilities Code.

(e) The disclosure of interested parties must be submitted on a form prescribed by the Texas Ethics Commission that includes:

(1) a list of each interested party for the contract of which the contracting business entity is aware; and

(2) a written, unsworn declaration subscribed by [the signature of] the authorized agent of the contracting business entity as true~~[, acknowledging that the disclosure is made under oath and]~~ under penalty of perjury that is in substantially the following form:

"My name is _____, my
date of birth is _____, and my address is

_____,
(Street) (City) (State) (Zip Code)

_____. I declare under penalty of
(Country)

perjury that the foregoing is true and correct.

Executed in _____ County, State of _____, on the _____
day of _____.

(Month) (Year)

Declarant".

SECTION _____. Section 2252.908, Government Code, as amended by this Act, applies only to a contract entered into or amended on or after January 1, 2018.

Amendment No. 2 was adopted.

SB 255, as amended, was passed to third reading.

SB 679 ON SECOND READING
(Dale - House Sponsor)

SB 679, A bill to be entitled An Act relating to the authority of chiropractors to form certain business entities with certain other professions.

SB 679 was passed to third reading.

SB 801 ON SECOND READING
(K. King - House Sponsor)

SB 801, A bill to be entitled An Act relating to the instructional material list and supplemental instructional materials adopted by the State Board of Education.

Amendment No. 1

Representatives Allen and Bernal offered the following amendment to **SB 801**:

Amend **SB 801** (house committee report) as follows:

(1) On page 1, line 5, strike "Section 31.023(b), Education Code, is amended" and substitute "Section 31.023, Education Code, is amended by amending Subsection (b) and adding Subsection (c)".

(2) On page 1, line 8, between "errors" and the underlined semicolon, insert "and aligned with contemporary scholarship".

(3) On page 1, line 10, between "submitted" and the underlined semicolon, insert ", as determined by an instructional material review team appointed by the commissioner".

(4) On page 1, between lines 12 and 13, insert the following:

(c) For purposes of Subsection (b), an academic expert may not be an author of the instructional material under consideration or an employee of the publisher of the instructional material under consideration. An academic expert must have at least five years of higher education teaching experience in:

(1) the subject under review and a terminal degree in that subject; or

(2) the field of education and a doctoral degree in education.

(5) On page 1, line 13, strike "Section 31.035(a), Education Code, is amended" and substitute "Section 31.035, Education Code, is amended by amending Subsection (a) and adding Subsection (a-1)".

(6) On page 2, line 4, between "errors" and the underlined semicolon, insert "and aligned with contemporary scholarship".

(7) On page 2, line 5, between "level" and the underlined semicolon, insert ", as determined by an instructional material review team appointed by the commissioner".

(8) On page 2, between lines 7 and 8, insert the following:

(a-1) For purposes of Subsection (a), an academic expert may not be an author of the instructional material under consideration or an employee of the publisher of the instructional material under consideration. An academic expert must have at least five years of higher education teaching experience in:

(1) the subject under review and a terminal degree in that subject; or

(2) the field of education and a doctoral degree in education.

Amendment No. 1 was adopted by (Record 1674): 77 Yeas, 71 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bailes; Bernal; Blanco; Bonnen, D.; Button; Canales; Coleman; Collier; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Lambert; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phelan; Pickett; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu; Zerwas.

Nays — Anderson, C.; Anderson, R.; Ashby; Bell; Biedermann; Bohac; Bonnen, G.; Burkett; Burns; Burrows; Cain; Capriglione; Clardy; Cook; Cospere; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Hunter; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Morrison; Murr; Oliverson; Parker; Paul; Phillips; Price; Rinaldi; Roberts;

Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

SB 801, as amended, was passed to third reading by (Record 1675): 89 Yeas, 56 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burns; Button; Clardy; Coleman; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Miller; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Wray; Wu; Zerwas.

Nays — Alonzo; Bell; Biedermann; Bonnen, G.; Burkett; Burrows; Cain; Canales; Capriglione; Cospere; Craddick; Cyrier; Dale; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Laubenberg; Leach; Meyer; Morrison; Murphy; Murr; Parker; Paul; Price; Rinaldi; Rodriguez, J.; Sanford; Schaefer; Shaheen; Simmons; Smithee; Stickland; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Bonnen, D.; Geren; Springer.

STATEMENTS OF VOTE

When Record No. 1675 was taken, I was shown voting yes. I intended to vote no.

Bohac

When Record No. 1675 was taken, I was shown voting yes. I intended to vote no.

Miller

When Record No. 1675 was taken, I was shown voting yes. I intended to vote no.

Phillips

When Record No. 1675 was taken, I was shown voting no. I intended to vote yes.

Price

When Record No. 1675 was taken, I was in the house but away from my desk. I would have voted no.

Springer

SB 1566 ON SECOND READING
(K. King - House Sponsor)

SB 1566, A bill to be entitled An Act relating to certain powers and duties of the board of trustees of an independent school district and the governing body of an open-enrollment charter school.

Amendment No. 1

Representative T. King offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 26.011, Education Code, is amended to read as follows:

Sec. 26.011. COMPLAINTS. (a) The board of trustees of each school district shall adopt a grievance procedure under which the board shall address each complaint that the board receives concerning violation of a right guaranteed by this chapter.

(b) The board of trustees of a school district is not required by Subsection (a) or Section 11.1511(b)(13) to address a complaint that the board receives concerning a student's participation in an extracurricular activity that does not involve a violation of a right guaranteed by this chapter. This subsection does not affect a claim brought by a parent under the Individuals with Disabilities Education Act (20 U.S.C. Section 1400 et seq.) or a successor federal statute addressing special education services for a child with a disability.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Schofield offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee report) as follows:

- (1) On page 1, line 15, insert "amending (c)" before "adding".
- (2) On page 1, line 15, insert ", (c-2), (c-3)," between "(c-1) and "and".
- (3) Amend SECTION 2 as follows:

(c) A member of the board of trustees of the district, when acting in the member's official capacity, has an inherent right of access to information, documents, and records maintained by the district, and the district shall provide the information, documents, and records to the member without requiring the member to submit a public information request under Chapter 552, Government Code. The district shall provide the information, documents, and records to the

member without regard to whether the requested items are the subject of or relate to an item listed on an agenda for an upcoming meeting. The district may withhold or redact information, a document, or a record requested by a member of the board to the extent that the item is excepted from disclosure or is confidential under Chapter 552, Government Code, or other law. ~~[This subsection does not require the district to provide information, documents, and records that are not subject to disclosure under the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g).]~~

(c-2) If a district does not provide requested information to a member of the board of trustees in the time required under Subsection (c-1), the member may bring suit against the district for appropriate injunctive relief. A member who prevails in a suit under this subsection is entitled to recover court costs and reasonable attorney's fees. The district shall pay the costs and fees from the budget of the superintendent's office.

(c-3) A board member shall maintain the confidentiality of information, documents, and records received under Subsection (c) as required by the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g) and any other applicable privacy laws.

Amendment No. 2 was adopted.

Amendment No. 3

Representative Gooden offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee report) by adding the following appropriately numbered SECTION and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 12A, Education Code, is amended by adding Section 12A.0071 to read as follows:

Sec. 12A.0071. POSTING OF LOCAL INNOVATION PLAN. (a) A school district designated as a district of innovation shall ensure that a copy of the district's current local innovation plan is available to the public by posting and maintaining the plan in a prominent location on the district's Internet website.

(b) Not later than the 15th day after the date on which the board of trustees adopts a proposed local innovation plan, adopts a proposed amendment of a local innovation plan, or renews a local innovation plan, the district shall provide a copy of the current local innovation plan to the agency. The agency shall promptly post the current local innovation plan on the agency's Internet website.

Amendment No. 3 was adopted by (Record 1676): 102 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Button; Capriglione; Coleman; Collier; Cook; Cortez; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Fallon; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Larson; Laubenberg; Longoria;

Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Paul; Perez; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Springer; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Ashby; Bailes; Bell; Biedermann; Bonnen, G.; Burns; Burrows; Cain; Canales; Clardy; Cosper; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Frank; Hefner; Holland; Isaac; Keough; Krause; Kuempel; Lambert; Landgraf; Lang; Leach; Murphy; Murr; Oliverson; Parker; Phelan; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Smithee; Stickland; Stucky; Swanson; Tinderholt; Villalba; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

STATEMENTS OF VOTE

When Record No. 1676 was taken, I was shown voting no. I intended to vote yes.

Krause

When Record No. 1676 was taken, I was shown voting yes. I intended to vote no.

Wray

Amendment No. 4

Representative Huberty offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter Z, Chapter 33, Education Code, is amended by adding Section 33.9031 to read as follows:

Sec. 33.9031. BEFORE-SCHOOL AND AFTER-SCHOOL PROGRAMS.

(a) The board of trustees of a school district may establish before-school or after-school programs for students enrolled in elementary or middle school grades. A program established under this section may operate before, after, or before and after school hours.

(b) A student is eligible to participate in a school district's before-school or after-school program if the student:

(1) is enrolled in a public or private school; or

(2) resides within the boundaries of the school district.

(c) A school district shall conduct a request for proposals procurement process to enable the district to determine if contracting with a child-care facility that provides a before-school or after-school program, as defined by Section 42.002, Human Resources Code, to provide the district's before-school or after-school program would serve the district's best interests. Following the

request for proposals procurement process, the district may enter into a contract with a child-care facility or implement a before-school or after-school program operated by the district. If the district enters into a contract with a child-care facility, the contract must comply with the requirements of Section 44.031 and may not exceed a term of three years.

(d) The board of trustees of a school district may adopt rules in accordance with Section 11.165 to provide access to school campuses before or after school hours for the purpose of providing a before-school or after-school program.

Amendment No. 4 was adopted by (Record 1677): 145 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Fairecloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Burkett.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Gutierrez; Oliverson.

STATEMENT OF VOTE

When Record No. 1677 was taken, I was temporarily out of the house chamber. I would have voted yes.

Gutierrez

Amendment No. 5

Representative Blanco offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 29.918, Education Code, is amended by adding Subsections (d), (e), and (f).

(d) A school district or open-enrollment charter school to which this section applies shall, in its plan submitted under Subsection (a):

(1) design a dropout recovery plan that includes career and technology education courses or technology applications courses that lead to industry or career certification;

(2) integrate into the dropout recovery plan research-based strategies to assist students in becoming able academically to pursue postsecondary education, including;

(A) high quality, college readiness instruction with strong academic and social supports;

(B) secondary to postsecondary bridging that builds college readiness skills, provides a plan for college completion, and ensures transition counseling; and

(C) information concerning appropriate supports available in the first year of postsecondary enrollment to ensure postsecondary persistence and success, to the extent funds are available for the purpose; and

(3) plan to offer advanced academic and transition opportunities, including dual credit courses and college preparatory courses, such as advanced placement courses.

(e) A school district which this section applies may enter into a partnership with a public junior college in accordance with Section 29.402, Education Code, in order to fulfill a plan submitted under Subsection (a).

(f) Any program designed to fulfill a plan submitted under Subsection (a) must comply with the requirements of Sections 29.081 (e) and (f).

Amendment No. 5 was adopted by (Record 1678): 79 Yeas, 65 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Bernal; Blanco; Collier; Cortez; Cosper; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Frank; Geren; Gervin-Hawkins; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Lambert; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Morrison; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Perez; Pickett; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Cook; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frullo; Goldman; Gonzales; Hefner; Holland; Isaac; Keough; Koop; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Meyer; Miller; Murr; Paddie; Parker; Paul; Phelan; Phillips; Price; Rinaldi; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Springer; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Giddings; Huberty; Hunter; Murphy.

STATEMENTS OF VOTE

When Record No. 1678 was taken, I was in the house but away from my desk. I would have voted no.

Hunter

When Record No. 1678 was taken, my vote failed to register. I would have voted no.

Murphy

When Record No. 1678 was taken, I was shown voting yes. I intended to vote no.

Stucky

When Record No. 1678 was taken, I was shown voting yes. I intended to vote no.

Wray

Amendment No. 6

Representative Hefner offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Chapter 37, Education Code, is amended by adding Section 37.0815 to read as follows:

Sec. 37.0815. TRANSPORTATION OR STORAGE OF FIREARM AND AMMUNITION BY LICENSE HOLDER IN SCHOOL PARKING AREA. A school district or open-enrollment charter school may not prohibit a person, including a school employee, who holds a license to carry a handgun under Subchapter H, Chapter 411, Government Code, from transporting or storing a handgun or other firearm or ammunition in a locked, privately owned or leased motor vehicle in a parking lot, parking garage, or other parking area provided by the district or charter school, provided that the handgun, firearm, or ammunition is not in plain view.

(c) This section does not authorize a person to possess, transport, or store a handgun, a firearm, or ammunition in violation of Section 37.125 of this code, Section 46.03 or 46.035, Penal Code, or other law.

SB 1566 - POINT OF ORDER

Representative Canales raised a point of order against further consideration of **SB 1566** under Rule 4, Section 32(c)(3) and Rule 8, Section 1(a)(1) of the House Rules on the grounds that the bill analysis is incorrect and the bill caption is inaccurate.

SJR 1 - HOUSE SPONSORS AUTHORIZED

On motion of Representative D. Bonnen, Representatives Alonzo, Anchia, C. Anderson, R. Anderson, Bailes, Bell, Bernal, Biedermann, Blanco, Bohac, G. Bonnen, Burkett, Burns, Burrows, Button, Cain, Canales, Capriglione, Cortez, Cospier, Craddick, Cyrier, Dale, Dean, Elkins, Faircloth, Flynn, Frank, Frullo, Geren, Gonzales, Guerra, Guillen, Hefner, Herrero, Hinojosa, Holland, Howard, Isaac, Keough, P. King, T. King, Klick, Koop, Krause, Kuempel, Lambert, Landgraf, Lang, Larson, Laubenberg, Leach, Lozano, Lucio, Martinez, Metcalf, Meyer, Miller, Minjarez, Moody, Morrison, Muñoz, Murr, Neave, Oliverson, Paddie, Parker, Paul, Perez, Phelan, Phillips, Pickett, Raymond, Rinaldi, Roberts, E. Rodriguez, J. Rodriguez, Romero, Sanford, Schaefer, Schofield, Schubert, Shaheen, Sheffield, Shine, Simmons, Springer, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Turner, Uresti, VanDeaver, White, Wilson, Workman, Wray, Wu, and Zedler were authorized as house sponsors to **SJR 1**.

SB 15 - HOUSE SPONSORS AUTHORIZED

On motion of Representative D. Bonnen, Representatives Alonzo, Anchia, C. Anderson, R. Anderson, Bailes, Bell, Bernal, Biedermann, Blanco, Bohac, G. Bonnen, Burkett, Burns, Burrows, Button, Cain, Canales, Capriglione, Cortez, Cospier, Craddick, Cyrier, Dale, Dean, Elkins, Faircloth, Flynn, Frank, Frullo, Geren, Gonzales, Guerra, Guillen, Hefner, Herrero, Hinojosa, Holland, Howard, Isaac, Keough, P. King, T. King, Klick, Koop, Krause, Kuempel, Lambert, Landgraf, Lang, Larson, Laubenberg, Leach, Lozano, Lucio, Martinez, Metcalf, Meyer, Miller, Minjarez, Moody, Morrison, Muñoz, Murr, Neave, Oliverson, Paddie, Parker, Paul, Perez, Phelan, Phillips, Pickett, Raymond, Rinaldi, Roberts, E. Rodriguez, J. Rodriguez, Romero, Sanford, Schaefer, Schofield, Schubert, Shaheen, Sheffield, Shine, Simmons, Springer, Stephenson, Stucky, Swanson, E. Thompson, Tinderholt, Turner, Uresti, VanDeaver, White, Wilson, Workman, Wray, Wu, and Zedler were authorized as house sponsors to **SB 15**.

SB 1566 - (consideration continued)**SB 1566 - POINT OF ORDER DISPOSITION**

The speaker overruled the point of order and submitted the following statement:

For the first point of order, Rule 4, Section 32(c)(3) of the House Rules requires every bill analysis to contain "a statement indicating whether or not any rulemaking authority is expressly delegated to a state officer, department, agency, or institution, and, if so, identifying the sections of the measure in which that rulemaking authority is delegated." Representative Canales argues that Section 2, the phrase "shall create a policy" denotes a granting of rulemaking authority that is not reflected in the bill analysis. The bill expressly grants rulemaking authority to the commissioner of education in Section 3 of the bill. The language to which the proponent refers to in Section 2 requires that a school district create a policy on visits to a district campus or other facility by a member of the board of trustees of the district, "in accordance with commissioner rule." This is a reference to

existing rules created by the commissioner and does not constitute an express, independent grant of new rulemaking authority. See 85 H.J. Reg. 4072 (2017) (E. Rodriguez point of order on **SB 2078**).

As to the second point of order, Rule 8, Section 1(a)(1) of the House Rules requires that the bill contain a caption "that gives the legislature and the public reasonable notice of the subject of the proposed measure." A caption "need not detail every element of a bill." See 78 H.J. Reg. 1676 (2003) (Burnam point of order on **CSHB 1567**); 74 H.J. Reg. 2186 (1995) (Moreno point of order on **HB 2646**). **SB 1566**'s caption reads "relating to certain powers and duties of the board of trustees of an independent school district and the governing body of an open-enrollment charter school." The chair has reviewed the caption of the bill and its substance and finds that it complies with Rule 8, Section 1(a)(1).

For these reasons, the points of order are respectfully overruled.

Amendment No. 6 was adopted by (Record 1679): 98 Yeas, 46 Nays, 1 Present, not voting.

Yeas — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Darby; Davis, S.; Dean; Dutton; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Guerra; Guillen; Hefner; Herrero; Holland; Huberty; Hunter; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Allen; Alonzo; Anchia; Arévalo; Bernal; Blanco; Button; Canales; Coleman; Collier; Cortez; Dale; Davis, Y.; Deshotel; Dukes; Farrar; Gervin-Hawkins; Giddings; González; Gutierrez; Hinojosa; Howard; Isaac; Israel; Johnson, J.; Longoria; Lucio; Martinez; Minjarez; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Alvarado; Hernandez; Johnson, E.; Koop.

STATEMENTS OF VOTE

When Record No. 1679 was taken, my vote failed to register. I would have voted no.

Alvarado

When Record No. 1679 was taken, I was shown voting yes. I intended to vote no.

S. Davis

When Record No. 1679 was taken, I was in the house but away from my desk. I would have voted yes.

Koop

Amendment No. 7

Representative Phillips offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION 1. Subchapter A, Chapter 38, Education Code, is amended by adding Section 38.031 to read as follows:

Sec. 38.031. NOTICE OF LICE. (a) The Board of Trustees of an independent school district shall adopt a policy requiring a school nurse of a public elementary school who determines or otherwise becomes aware that a child enrolled in the school has lice shall provide written or electronic notice of that fact to:

(1) the parent of the child with lice as soon as practicable but not later than 48 hours after the administrator or nurse, as applicable, determines or becomes aware of that fact; and

(2) the parent of each child assigned to the same classroom as the child with lice not later than the fifth school day after the date on which the administrator or nurse, as applicable, determines or becomes aware of that fact.

(b) The notice provided under Subsection (a):

(1) must include the recommendations of the Centers for Disease Control and Prevention for the treatment and prevention of lice; and

(2) if the notice is provided under Subsection (a)(2), may not identify the child with lice.

(c) The commissioner shall adopt rules as necessary to implement this section in a manner that complies with federal law regarding confidentiality of student medical or educational information, including the Health Insurance Portability and Accountability Act of 1996 (42 U.S.C. Section 1320d et seq.) and the Family Educational Rights and Privacy Act of 1974 (20 U.S.C. Section 1232g), and any state law relating to the privacy of student information.

SECTION ____ . Section 38.031, Education Code, as added by this Act, applies beginning with the 2017-2018 school year.

Amendment No. 7 was adopted by (Record 1680): 126 Yeas, 21 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes;

Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bonnen, D.; Burrows; Cain; Frank; Isaac; Krause; Kuempel; Lang; Leach; Price; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Coleman.

Amendment No. 8

Representative Gooden offered the following amendment to **SB 1566**:

Amend **SB 1566** (house committee printing) by amending SECTION 1, Subchapter D, Chapter 11.151, Education Code, by adding a new Subsection (f), and a new SECTION 8 and 9, and renumbering the subsequent SECTIONS accordingly:

In SECTION 1, Subchapter D, Chapter 11.151, Education Code, add a new Subsection (f) to read as follows:

(f) for purposes of this section, a county board of education as defined by a board of county school trustees, and office of county school superintendent in a county with a population of 2.2 million or more and that is adjacent to a county with a population of more than 800,000, is included within the definition of a school district, and subject to the oversight of the agency.

After SECTION 8 in **SB 1566**, add new SECTION 8 and SECTION 9 and renumber the remaining SECTIONS accordingly, to read as follows:

SECTION 8. (a) Each county board of education, board of county school trustees, and office of county school superintendent in a county with a population of 2.2 million or more and that is adjacent to a county with a population of more than 800,000 is abolished effective November 15, 2017, unless the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved by a majority of voters at an election held on the November 2017 uniform election date in the county in which the county board of education, board of county school trustees, and office of county school superintendent are located. Subsections (b)-(q) of this section do not take effect in a county if the continuation of the county board of education, board of county school trustees, and office of county school superintendent is approved at the election held in the county under this subsection.

(b) Not later than November 15, 2017, a dissolution committee shall be formed for each county board of education or board of county school trustees to be abolished as provided by Subsection (a) of this section. The dissolution committee is responsible for all financial decisions for each county board of education or board of county school trustees abolished by this Act, including asset distribution and payment of all debt obligations.

(c) A dissolution committee required by this Act shall be appointed by the comptroller and include:

(1) one financial advisor;

(2) the superintendent or the superintendent's designee of each participating component school district that chooses to participate in the dissolution committee;

(3) one certified public accountant;

(4) one auditor who holds a license or other professional credential;

(5) one bond counsel who holds a license or other professional credential;

(6) one additional representative appointed by the commissioner of education.

(d) A dissolution committee created under this Act is subject to the open meetings requirements under Chapter 551, Government Code, and public information requirements under Chapter 552, Government Code.

(e) Members of a dissolution committee may not receive compensation but are entitled to reimbursement for actual and necessary expenses incurred in performing the functions of the dissolution committee.

(f) Subject to the other requirements of this Act, the dissolution committee shall determine the manner in which all assets, liabilities, contracts, and services of the county board of education or board of county school trustees abolished by this Act are divided, transferred, or discontinued. The dissolution committee shall create a sinking fund to deposit all money received in the abolishment of each county board of education or board of county school trustees for the payment of all debts of the county board of education or board of county school trustees.

(g) The dissolution committee shall continue providing transportation services to participating component school districts for the 2017-2018 school year. The dissolution committee shall maintain current operations and personnel needed to provide the transportation services.

(h) At the end of the 2017-2018 school year all school buses, vehicles, and bus service centers shall be transferred to participating component school districts in proportionate shares equal to the amount of buses currently assigned to each district. The dissolution committee shall audit and confirm assignment of buses by vehicle identification numbers or some other agreed upon means assigned to applicable districts. Final distribution and assignment of these assets will be not later than September 1, 2018, at no cost to the districts.

(i) The dissolution committee may employ for the 2017-2018 school year one person to assist in the abolishment of the county board of education or board of county school trustees.

(j) On September 1, 2017, the participating component school district with the largest number of students in average daily attendance has the right of first refusal to buy, at fair market value, the administrative building of the county board of education or board of county school trustees.

(k) An ad valorem tax assessed by a county board of education or board of county school trustees shall continue to be assessed by the county on behalf of the board for the purpose of paying the principal of and interest on any bonds issued by the county board of education or board of county school trustees until all bonds are paid in full. This subsection applies only to a bond issued before the effective date of this Act for which the tax receipts were obligated. On payment of all bonds issued by the county board of education or board of county school trustees the ad valorem tax may not be assessed.

(l) In the manner provided by rule of the commissioner of education, the county shall collect and use any delinquent taxes imposed by or on behalf of the county board of education or board of county school trustees.

(m) The dissolution committee shall distribute the assets remaining after discharge of the liabilities of the county board of education or board of county school trustees to the component school districts in the county in proportionate shares equal to the proportion that the amount of money a district has submitted to the county board of education or board of county school trustees has to the total amount of money submitted by all districts. The dissolution committee shall liquidate board assets as necessary to discharge board liabilities and facilitate the distribution of assets. A person authorized by the dissolution committee shall execute any documents necessary to complete the transfer of assets, liabilities, or contracts.

(n) The dissolution committee shall encourage the component school districts to:

(1) continue sharing services received through the county board of education or board of county school trustees; and

(2) give preference to private sector contractors to continue services provided by the county board of education or board of county school trustees.

(o) The chief financial officer and financial advisor for the county board of education or board of county school trustees shall provide assistance to the dissolution committee in abolishing the county board of education or board of county school trustees.

(p) The Texas Education Agency shall provide assistance to a dissolution committee in the distribution of assets, liabilities, contracts, and services of a county board of education or board of county school trustees abolished by this Act.

(q) Any dissolution committee created as provided by this Act is abolished on the date all debt obligations of the county board of education or board of county school trustees are paid in full and all assets distributed to component school districts.

SECTION 9. Chapter 266 (SB 394), Acts of the 40th Legislature, Regular Session, 1927 (Article 2700a, Vernon's Texas Civil Statutes), is repealed.

Amendment No. 8 was adopted.

SB 1566, as amended, was passed to third reading by (Record 1681): 123 Yeas, 25 Nays, 1 Present, not voting.

Yeas — Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Coleman; Cook; Cospers; Craddick; Cyrier; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Nevárez; Oliveira; Oliverson; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Allen; Alonzo; Bell; Bernal; Canales; Collier; Cortez; Dale; Dukes; Dutton; Farrar; González; Hinojosa; Howard; Isaac; Israel; Martinez; Moody; Neave; Ortega; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Walle.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

STATEMENTS OF VOTE

When Record No. 1681 was taken, I was shown voting yes. I intended to vote no.

Arévalo

When Record No. 1681 was taken, I was shown voting yes. I intended to vote no.

Deshotel

When Record No. 1681 was taken, I was shown voting yes. I intended to vote no.

Minjarez

When Record No. 1681 was taken, I was shown voting yes. I intended to vote no.

Thierry

CSSB 807 ON SECOND READING (Workman - House Sponsor)

CSSB 807, A bill to be entitled An Act relating to choice of law and venue for certain construction contracts.

CSSB 807 was passed to third reading.

SB 1698 ON SECOND READING
(S. Thompson - House Sponsor)

SB 1698, A bill to be entitled An Act relating to outreach and awareness for women veterans in this state.

Amendment No. 1

Representative S. Thompson offered the following amendment to **SB 1698**:

Amend **SB 1698** (house committee report) by adding the following appropriately numbered SECTIONS and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 434.203, Government Code, is amended to read as follows:

Sec. 434.203. COORDINATOR. (a) The executive director shall designate a women veterans coordinator for this state.

(b) The coordinator or the coordinator's designee shall serve as a liaison between state and federal agencies and organizations that provide benefits and services to women veterans.

SECTION _____. Section 434.204, Government Code, is amended to read as follows:

Sec. 434.204. GENERAL PROGRAM DUTIES. The program shall:

(1) provide assistance to the women veterans of this state as provided by this subchapter;

(2) perform outreach functions to improve the awareness of women veterans of their eligibility for federal and state veterans' benefits and services;

(3) assess the needs of women veterans with respect to benefits and services;

(4) review programs, research projects, and other initiatives designed to address the needs of the women veterans of this state;

(5) make recommendations to the executive director regarding the improvement of benefits and services to women veterans; ~~and~~

(6) incorporate issues concerning women veterans in commission planning regarding veterans' benefits and services; and

(7) in collaboration with appropriate state agencies, provide information to women veterans on services and resources provided by state or federal agencies and organizations to women veterans.

Amendment No. 1 was adopted by (Record 1682): 112 Yeas, 36 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cortez; Cospers; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez;

Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Bonnen, G.; Burrows; Button; Cain; Capriglione; Cook; Craddick; Fallon; Frank; Frullo; Goldman; Hefner; Holland; Isaac; Keough; King, P.; Klick; Krause; Lang; Leach; Morrison; Paul; Phillips; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Springer; Stickland; Tindholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

STATEMENT OF VOTE

When Record No. 1682 was taken, I was shown voting no. I intended to vote yes.

Phillips

Amendment No. 2

Representative S. Thompson offered the following amendment to **SB 1698**:

Amend **SB 1698** as follows:

(1) On page 1, line 7, between "REPORT." and "Not" insert "(a)".

(2) On page 1, between lines 23 and 24, insert the following:

(b) The Sunset Advisory Commission, as part of the review of the Texas Veterans Commission under Chapter 325, shall review the information included in the report submitted under Subsection (a) to evaluate the availability of services provided by the Texas Veterans Commission to women veterans.

(c) Notwithstanding any other provision of law, the Sunset Advisory Commission shall review the Texas Veterans Commission during the period in which state agencies scheduled to be reviewed or abolished in 2021 are reviewed and unless continued in existence as provided by Chapter 325, the commission is abolished September 1, 2021.

Amendment No. 2 was adopted by (Record 1683): 102 Yeas, 44 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Farrar; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Koop; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds;

Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Stucky; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Bonnen, D.; Bonnen, G.; Burrows; Button; Cain; Capriglione; Cyrier; Dale; Darby; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Holland; Hunter; Isaac; Keough; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Leach; Morrison; Murphy; Murr; Paul; Phillips; Rinaldi; Sanford; Shaheen; Simmons; Springer; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Laubenberg; Schaefer.

STATEMENT OF VOTE

When Record No. 1683 was taken, I was shown voting yes. I intended to vote no.

Parker

SB 1698, as amended, was passed to third reading by (Record 1684): 108 Yeas, 34 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Burkett; Burns; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cospes; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Farrar; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, J.; Kacal; King, K.; King, T.; Klick; Koop; Kuempel; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Smithee; Stephenson; Thierry; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Workman; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Burrows; Button; Cain; Capriglione; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Holland; Isaac; Keough; King, P.; Krause; Lang; Leach; Morrison; Rinaldi; Sanford; Schaefer; Shaheen; Simmons; Springer; Stickland; Stucky; Swanson; Tinderholt; White; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Bonnen, D.; Bonnen, G.; Johnson, E.; Lambert; Laubenberg; Rodriguez, E.

STATEMENTS OF VOTE

When Record No. 1684 was taken, I was in the house but away from my desk. I would have voted no.

D. Bonnen

When Record No. 1684 was taken, I was in the house but away from my desk. I would have voted no.

G. Bonnen

BILLS AND RESOLUTIONS SIGNED BY THE SPEAKER

Notice was given at this time that the speaker had signed bills and resolutions in the presence of the house (see the addendum to the daily journal, Signed by the Speaker, Senate List No. 25).

SB 132 ON SECOND READING (Parker - House Sponsor)

SB 132, A bill to be entitled An Act relating to the savings incentive program for state agencies.

SB 132 was passed to third reading.

SB 1138 ON SECOND READING (Krause, Dean, Guillen, Villalba, Blanco, et al. - House Sponsors)

SB 1138, A bill to be entitled An Act relating to the creation of the blue alert system to aid in the apprehension of an individual suspected of killing or causing serious bodily injury to a law enforcement officer.

SB 1138 was passed to third reading by (Record 1685): 144 Yeas, 1 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Stickland.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Cain; Murphy; Raney.

STATEMENT OF VOTE

When Record No. 1685 was taken, I was in the house but away from my desk. I would have voted yes.

Cain

SB 1215 ON SECOND READING (Shine, Oliveira, Workman, and Kacal - House Sponsors)

SB 1215, A bill to be entitled An Act relating to responsibility for the consequences of defects in the plans, specifications, or related documents for the construction or repair of an improvement to real property.

SB 1215 - REMARKS

REPRESENTATIVE SHINE: **SB 1215** is a bill that is a result of a 1907 Texas Supreme Court case. The court held that by contracting to construct a building following the plans and specifications supplied by the owner, the contractor was implying that it understood the plans and warranted them. So while it seems reasonable for a contractor to rely on plans and specifications provided by the owner and prepared by licensed design professionals, if the work turns out to be defective due to an error in the plans and specifications, the contractor could be liable for damages resulting from defective plans and specifications. In the 110 years following the ruling, construction projects and plans have become increasingly complex, and in 1907 it may have been reasonable to expect a contractor to be able to review a set of plans and be able to discover defects and deficiencies. That is simply not the case today. Plans and specifications may be hundreds, if not thousands of pages long, and there are a multitude of specialized subcontractors working on a project. It's important to add that architects and engineers are licensed to prepare construction drawings. A contractor is not licensed to and is statutorily prohibited from preparing or modifying construction plans. So a person who is prohibited by law from drafting construction plans is being required to warranty those plans.

Members, a contractor should not be liable for construction that is defective due to erroneous design documents provided to them, and nothing in the bill prohibits a contractor from being responsible for its work or for the work of a design professional it hires. Contractors build things, not design them. Licensed design professionals such as architects and engineers produce design drawings for today's complex buildings, and a contractor should be responsible for constructing the building in accordance with the designs provided by the owner but not be responsible for the owner's faulty designs, and that responsibility is then between the owner and the designer. And at least 36 states and the District of Columbia view that the contractor is not responsible for defects in project design documents furnished by an owner.

REPRESENTATIVE OLIVEIRA: Chairman Shine, we worked on this bill for several months with Representative Workman and the rest of the Committee on Business and Industry to try to come up with something that was fair to all parties. Is that not correct?

SHINE: That is correct, sir.

OLIVEIRA: And even today, we met with all the stakeholders in trying to draft amendments, asking them to give us amendments, and asking them to help us find a way to address this issue of one group being held responsible for somebody else's fault. Is that correct?

SHINE: That's correct, Mr. Chairman. And one of the things that you and I discovered this session is that a lot of issues that we end up facing here in the house that start in the senate do not have anyone registering in opposition to those bills, and they end up coming here to the house of representatives and expect us, members, to fix the bills.

OLIVEIRA: And what was the vote in the senate?

SHINE: Twenty-five to two, Mr. Chairman.

OLIVEIRA: And in fact, only two people testified against this bill in our committee. Is that correct?

SHINE: That's correct, sir.

OLIVEIRA: Now, some people deposited a card, but for whatever reason, they never enlightened us with their objections or their concerns. Is that correct?

SHINE: That's correct, and it wasn't just with this bill. It's been with others as well.

OLIVEIRA: And hasn't this been a frustration to Chairman Hunter and other committee chairmen as well in that, I believe, bills need to be worked out in committee and not be rewritten on the third floor or in a basement or in a back room or even on the house floor? Do you agree?

SHINE: I agree, and members, the chairman and I have been working diligently for the last two days putting forth a lot of effort to try to bring these parties together, because they didn't come together in the committee process.

OLIVEIRA: And this bill has been laid out for a long time. In fact, it got out of Calendars without any trouble. And all of a sudden, today we saw a swarm of lobbyists against our legislation of which I'm a coauthor with you. Is that right?

SHINE: That's correct, and when I walked onto the floor this morning, because many of the members were caught in the pit, I was approached and told, "You've got a bad bill."

OLIVEIRA: And haven't we talked to many members who believe that this is the right thing to do? To not hold some group responsible for the negligence or the design defects of another party?

SHINE: Absolutely, sir.

OLIVEIRA: And as you said, and I don't think members all heard it, we are the only state in the union that still holds contractors responsible for the design defects of an architect or an engineer. Is that not correct?

SHINE: That's correct, sir.

OLIVEIRA: So what we tried to do here was bring a balance and recognize that people—it's an issue of responsibility. You're going to be responsible for your negligence or your failures or your breach of contract, but you shouldn't be responsible for the negligence or breach of contract of another.

SHINE: That's correct, sir.

OLIVEIRA: And in working on this, we even conceded that maybe there would be some instances where contractors could waive this defense, waive this protection, in the interest of a public works program or the interest of a governmental entity who required it, and we were even going to take those amendments and do that as well.

SHINE: Mr. Chairman, you're exactly right. And we have spent endless hours, more so on this particular piece of legislation than we have on other bills, because of so much time that we've put into it trying to reach an agreement and a consensus for those who are affected by this legislation. And it seemed like every time we had another meeting, they found something else small that they couldn't live with. Again, the message is, members, we need these associations and other organizations to go through the committee process and make that work rather than coming the last week of this session and wanting us to get something done.

OLIVEIRA: Well, and isn't it true that many of these stakeholders that came forward at the last minute, the eleventh hour, to tell us about their opposition and their concerns, they can't even come to an agreement with us because they're taking orders from third parties who may be in New York or we don't even know anymore?

SHINE: Yes, sir, and we have an amendment.

Amendment No. 1 (Committee Amendment No. 1)

Representative Oliveira offered the following committee amendment to **SB 1215**:

Amend **SB 1215** (engrossed) as follows:

(1) On page 1, line 16, strike the word "A", and before the word "contractor" insert "Except as provided by Sec. 59.004, a"; and

(2) On page 2, lines 6 through line 8, strike all language and substitute "Sec. 59.004. WAIVER OF CHAPTER. A person may not waive this chapter unless the contractor agrees to do so in writing with the person with whom the contractor entered the contract."

AMENDMENT NO. 1 - REMARKS

REPRESENTATIVE OLIVEIRA: This is an amendment that I added on in committee even though I appreciate that contractors need this defense and need to be able to take advantage of this because they've been really abused in the

litigation process. The contractor ends up taking all of the responsibility even though it may have been a design defect by an architect, an engineer, or some other third party. And in this litigation that's happening all over the state—that, in fact, I have defended as an attorney in representing contractors and other parties—it seemed very unfair. But in listening to the few people that bothered to come forward and testify against it, including the architects that worked with us, we drafted an amendment that said that in certain situations the contractor could waive this defense, this bright-line standard that we are trying to put into law. That's what Committee Amendment No. 1 does, and it's acceptable to the author.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Paul offered the following amendment to **SB 1215**:

Amend **SB 1215** (house committee printing) as follows:

(1) In SECTION 1 of the bill, following added Section 59.003, Business & Commerce Code (page 2, between lines 5 and 6), add the following:

Sec. 59.004. PROFESSIONAL SKILL AND CARE REQUIRED TO BE PROVIDED BY ENGINEERS AND ARCHITECTS. A contract for engineering or architectural services to which this chapter applies must require a licensed engineer or registered architect to perform services with professional skill and care ordinarily provided by competent engineers or architects practicing under the same or similar circumstances and professional license.

(2) In Item (2) of Committee Amendment No. 1 by Oliveira, in added Section 59.004, Business & Commerce Code (page 1, line 7 of the amendment), strike "59.004" and substitute "59.005".

AMENDMENT NO. 2 - REMARKS

REPRESENTATIVE PAUL: What this amendment does is just to make sure that the architects and engineers—that their drawings are understood that it's going to be the code of ordinary care that engineering professionals have to meet. That standard is shown in this bill so that we have no problem being responsible for issues that we have in our drawings, but we want to make sure that it's not anything above and beyond our standard care because we'll never be able to get liability insurance if we don't have some protection there. I think it's acceptable to the author.

Amendment No. 2 was adopted.

Amendment No. 3

Representatives Workman, Deshotel, and Oliveira offered the following amendment to **SB 1215**:

Amend **SB 1215** (house committee printing) by striking all below the enacting clause and substituting the following:

SECTION 1. JOINT INTERIM COMMITTEE. (a) A joint interim committee is created to conduct a study under Section 2 of this Act.

(b) The joint interim committee is composed of members of the appropriate standing committees of the senate and the house of representatives as determined by the lieutenant governor and the speaker of the house of representatives.

(c) The lieutenant governor and speaker of the house of representatives shall each designate a co-chair from among the joint interim committee members, and the joint interim committee shall convene at the joint call of the co-chairs.

(d) The joint interim committee has all other powers and duties provided to a special or select committee by the rules of the senate and house of representatives, by Subchapter B, Chapter 301, Government Code, and by policies of the senate and house committees on administration.

SECTION 2. INTERIM STUDY. (a) The joint interim committee shall conduct a study on issues relating to construction contracts in this state to the extent the committee determines appropriate. Those issues may include:

(1) the allocation of liability among persons involved in a construction project;

(2) relationships among parties to construction contracts, including property owners, general contractors, subcontractors, and design professionals;

(3) liens on real property arising from construction contracts;

(4) indemnification and insurance issues;

(5) warranties;

(6) standards of care for persons involved in construction projects; and

(7) civil actions and other forms of dispute resolution arising from construction defects and remedies for construction defects.

(b) Not later than December 1, 2018, the joint interim committee shall issue a report on the study required under this section to the lieutenant governor, the speaker of the house of representatives, and the appropriate standing committees of the house of representatives and the senate.

SECTION 3. EXPIRATION. The joint interim committee created under Section 1 of this Act is abolished and this Act expires September 1, 2019.

SECTION 4. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

AMENDMENT NO. 3 - REMARKS

REPRESENTATIVE WORKMAN: As Chairman Oliveira and Chairman Shine have talked about, we've worked hard on this bill for a good while and had a lot of support from some of the industry groups. And then in the last eleventh hour, a bunch of other people came in and raised opposition to this bill. Simply as a contractor, what we were trying to do is make sure that contractors are responsible for the performance of the contract, and the design professionals are responsible for the design of the contract. Yet the *Lonergan* decision from 1907 said that the contractors were responsible for the design defects. And it's hard for me to imagine how it is that I am supposed to be responsible for the design of a structural steel building when I am not a structural engineer. Yet the Supreme Court has decided that that is the case. What **SB 1215** was trying to do

was to make it clear that contractors are responsible for the construction and that design professionals are responsible for the design. Unfortunately, we were not able to reach a consensus on getting **SB 1215** passed this session. So my amendment strips the entire bill, **SB 1215**, and substitutes an interim study on this issue.

Now, there was another amendment that I intended to add to this bill which we referred to as the right to repair. We're not able to get that on, either. Right to repair was on the calendar and died last week. Right to repair would have said to a contractor, if you think you have a construction defect, then you need to come and tell us before you sue us. Because what's happened a lot of times is we just have somebody, a server, show up with lawsuit papers and sue us—for a project that may have been three, four, five, as many as nine years ago—for alleged construction defect, and we weren't given the opportunity to do anything about it. So the right to repair bill is dying here as well. But what we want to do in the interim is to set up a study so that we can go through this issue and make sure that all of the stakeholders are here and now engaged in it. And then hopefully, when we come back next session, we'll have a bill that we can bring to the body and we can get passed. So members, I respectfully ask that this amendment go on.

REPRESENTATIVE OLIVEIRA: Mr. Workman, this is not something you are doing very lightly, is it?

WORKMAN: No, sir, it's not.

OLIVEIRA: And this has been a long time in your life, not just your professional life but your life as a representative and trying to see that justice is done to all parties. Do you agree that it is better for us to go this route than to spend the next two hours in debate on multiple amendments?

WORKMAN: Yes, sir, I do agree. And part of what we talked about this afternoon was to make sure that we had respect for this body and didn't drag out a bill that was going to cause a lot of contention here on the floor.

OLIVEIRA: And even though our vote count is that we might prevail today or we would likely prevail today, we think this is in the best interest of the house, the best interest of the parties, the best interest of the stakeholders to proceed in this manner and come up with a final resolution. Do you not agree?

WORKMAN: Yes, sir. I do agree with that.

OLIVEIRA: Well, I'm proud to be a joint author of your amendment, and I would move adoption with you.

WORKMAN: Thank you. Members, with this amendment on there, I'd ask for your support of **SB 1215**.

Amendment No. 3 was adopted.

SB 1215 - REMARKS

REPRESENTATIVE SHINE: Members, this amendment is acceptable to the author. Members, I hope you respect what we were doing with this in sending a message to those who have given us a lot of grief in this process. Thank you, and I would like you, respectfully, to vote one on this bill.

SB 1215, as amended, was passed to third reading by (Record 1686): 90 Yeas, 55 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anderson, C.; Anderson, R.; Bailes; Bell; Bernal; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Capriglione; Clardy; Coleman; Cook; Cospser; Cyrier; Darby; Davis, S.; Deshotel; Dutton; Elkins; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gooden; Guillen; Hefner; Hernandez; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Klick; Krause; Kuempel; Lambert; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Moody; Murphy; Oliverson; Parker; Paul; Phillips; Pickett; Price; Raney; Roberts; Romero; Sanford; Schofield; Schubert; Shine; Smithee; Stephenson; Thompson, E.; Thompson, S.; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Anchia; Arévalo; Ashby; Blanco; Cain; Canales; Collier; Cortez; Craddick; Dale; Davis, Y.; Dean; Dukes; Faircloth; Gonzales; Guerra; Gutierrez; Herrero; Hinojosa; Isaac; Keough; King, P.; Koop; Landgraf; Lang; Minjarez; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Phelan; Raymond; Reynolds; Rinaldi; Rodriguez, E.; Rodriguez, J.; Rose; Schaefer; Shaheen; Sheffield; Simmons; Stickland; Stucky; Swanson; Thierry; Tinderholt; Turner; Uresti; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — González; Holland; Springer.

STATEMENTS OF VOTE

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Coleman

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Darby

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Fallon

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Gervin-Hawkins

When Record No. 1686 was taken, I was in the house but away from my desk. I would have voted yes.

Holland

When Record No. 1686 was taken, I was shown voting no. I intended to vote yes.

Koop

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Kuempel

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Longoria

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Meyer

When Record No. 1686 was taken, I was shown voting yes. I intended to vote no.

Moody

When Record No. 1686 was taken, I was shown voting no. I intended to vote yes.

Oliveira

When Record No. 1686 was taken, I was in the house but away from my desk. I would have voted no.

Springer

REMARKS ORDERED PRINTED

Representative Leach moved to print all remarks on **SB 1215**.

The motion prevailed.

SB 1731 ON SECOND READING (Meyer - House Sponsor)

SB 1731, A bill to be entitled An Act relating to the repeal of laws governing certain state entities, including the functions of those entities.

Amendment No. 1

Representative Gonzales offered the following amendment to **SB 1731**:

Amend **SB 1731** by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill as appropriate:

SECTION _____. PALLIATIVE CARE INTERDISCIPLINARY ADVISORY COUNCIL. Section 118.003, Health and Safety Code, is repealed.

Amendment No. 1 was adopted.

SB 1138 - HOUSE SPONSORS AUTHORIZED

On motion of Representative P. King, Representatives Allen, C. Anderson, R. Anderson, Ashby, Bailes, Bernal, Biedermann, Blanco, Bohac, D. Bonnen, Burns, Cain, Capriglione, Clardy, Cortez, Dean, Deshotel, Farrar, Gervin-Hawkins, Guillen, Hefner, Holland, Huberty, P. King, Lambert, Leach, Lozano, Martinez, Metcalf, Minjarez, Neave, Phelan, Price, Raymond, Roberts, Sanford, Schaefer, Shaheen, Shine, Simmons, Stephenson, Stickland, Stucky, E. Thompson, Tinderholt, Uresti, VanDeaver, and Villalba were authorized as house sponsors to **SB 1138**.

SB 132 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Zerwas, Representative Metcalf was authorized as a house sponsor to **SB 132**.

SB 679 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Price, Representative Huberty was authorized as a house sponsor to **SB 679**.

SB 1731 - (consideration continued)

Amendment No. 2

Representative Shaheen offered the following amendment to **SB 1731**:

Amend **SB 1731** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. ADVISORY OVERSIGHT COMMUNITY OUTREACH COMMITTEE. (a) The Advisory Oversight Community Outreach Committee is abolished.

(b) Section 411.0197, Government Code, is repealed.

SECTION _____. RAIN HARVESTING AND WATER RECYCLING TASK FORCE. (a) The task force under Section 2113.301(h), Government Code, as repealed by this section, is abolished.

(b) Section 2113.301(h), Government Code, is repealed.

SECTION _____. STATE COGENERATION COUNCIL. (a) The State Cogeneration Council is abolished. All rules adopted by the State Cogeneration Council are abolished.

(b) Section 2302.024, Government Code, is amended to read as follows:

Sec. 2302.024. AUTHORITY TO SELL POWER. ~~A [(a) After the council has approved the application to construct or operate a cogeneration facility, a]~~ cogenerating state agency may contract in the same manner as a qualifying facility for the sale to an electric utility of firm or nonfirm power produced by the state agency cogeneration facility that exceeds the agency's power requirements.

~~[(b) A cogenerating state agency may consult with the council about the price or other terms of a contract entered under this section.]~~

(c) The following provisions of the Government Code are repealed:

- (1) Section 2302.001(3);
- (2) Sections 2302.002, 2302.003, 2302.004, 2302.005, 2302.006, and 2302.007;
- (3) Section 2302.021(a); and
- (4) Section 2302.022.

SECTION _____. PREMARITAL EDUCATION HANDBOOK ADVISORY COMMITTEE. (a) The advisory committee under Section 2.014(d), Family Code, as repealed by this section, is abolished.

(b) Section 2.014(d), Family Code, is repealed.

SECTION _____. INDEPENDENT REVIEW ORGANIZATION ADVISORY GROUP. (a) The advisory group under Section 4202.011, Insurance Code, as repealed by this section, is abolished.

(b) Section 4202.011, Insurance Code, is repealed.

SECTION _____. VEHICLE PROTECTION PRODUCT WARRANTOR ADVISORY BOARD. (a) The Vehicle Protection Product Warrantor Advisory Board is abolished.

(b) Subchapter C, Chapter 2306, Occupations Code, is repealed.

Amendment No. 2 was adopted.

SB 1731, as amended, was passed to third reading.

SB 1963 ON SECOND READING (Phelan - House Sponsor)

SB 1963, A bill to be entitled An Act relating to requirements for educator preparation program support for certain candidates for certification.

SB 1963 was passed to third reading by (Record 1687): 115 Yeas, 32 Nays, 1 Present, not voting.

Yeas — Allen; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Holland; Huberty; Hunter; Isaac; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Rinaldi; Roberts; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield;

Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Zedler; Zerwas.

Nays — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Collier; Cortez; Davis, Y.; Dukes; Gervin-Hawkins; González; Hinojosa; Howard; Israel; Johnson, E.; Keough; Minjarez; Neave; Nevárez; Oliveira; Ortega; Perez; Reynolds; Rodriguez, E.; Rodriguez, J.; Rose; Thierry; Thompson, S.; Turner; Uresti; Wu.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Cook.

SB 196 ON SECOND READING (Coleman - House Sponsor)

SB 196, A bill to be entitled An Act relating to a notification requirement if a public school, including an open-enrollment charter school, does not have a nurse, school counselor, or librarian assigned to the school during all instructional hours.

Amendment No. 1

Representative Springer offered the following amendment to **SB 196**:

Amend **SB 196** (house committee printing) as follows:

(1) On page 1, line 17, strike "A" and substitute "Except as otherwise provided by Subsection (i), a".

(2) On page 3, between lines 5 and 6, insert the following:

(i) This section does not apply to a school district or open-enrollment charter school with a student enrollment of less than 10,000 students.

Amendment No. 1 was adopted.

SB 196, as amended, failed to pass to third reading by (Record 1688): 67 Yeas, 79 Nays, 1 Present, not voting. (The vote was reconsidered later today, and **SB 196**, as amended, was passed to third reading.)

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cook; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lozano; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Phillips; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Shine; Springer; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wilson; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Clardy; Cospier; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Isaac; Kacal; Keough; King,

K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Simmons; Smithee; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Capriglione; Stephenson.

STATEMENTS OF VOTE

When Record No. 1688 was taken, I was shown voting yes. I intended to vote no.

Cook

When Record No. 1688 was taken, I was shown voting yes. I intended to vote no.

Hunter

When Record No. 1688 was taken, I was shown voting yes. I intended to vote no.

Wilson

SB 195 ON SECOND READING (Allen - House Sponsor)

SB 195, A bill to be entitled An Act relating to funding under the transportation allotment for public school students subject to a high risk of violence while walking to school.

Amendment No. 1

Representative Allen offered the following amendment to **SB 195**:

Amend **SB 195** (house committee report) on page 2, line 14, after "county.", by inserting the following:

The commissioner shall adopt rules governing the transportation allotment as necessary to permit a district or county to receive funds under Subsection (d) that may be used to support community walking transportation programs as provided by this subsection, including rules defining an approved walking route mile that may be used as necessary in implementing this subsection.

Amendment No. 1 failed of adoption by (Record 1689): 64 Yeas, 84 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Burkett; Canales; Clardy; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Frank; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio;

Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frullo; Geren; Goldman; Hefner; Holland; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

STATEMENT OF VOTE

When Record No. 1689 was taken, I was shown voting no. I intended to vote yes.

Cospers

Amendment No. 2

Representative Huberty offered the following amendment to **SB 195**:

Amend **SB 195** (house committee report) on page 2, line 14, after "county", by inserting the following:

The commissioner shall adopt rules governing the transportation allotment as necessary to permit a district or county to receive funds under Subsection (d) that may be used to support community walking transportation programs as provided by this subsection, including rules defining an approved walking route mile that may be used as necessary in implementing this subsection.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Huberty offered the following amendment to **SB 195**:

Amend **SB 195** (house committee report) on page 2, line 14, after "county", by inserting the following:

The commissioner shall adopt rules governing the transportation allotment as necessary to permit a district or county to receive funds under Subsection (d) that may be used to support innovative school safety projects, including community walking transportation programs as provided by this subsection and any other appropriate safety project, including rules defining an approved walking route mile that may be used as necessary in implementing this subsection.

Amendment No. 3 was adopted by (Record 1690): 119 Yeas, 26 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burrows; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, P.; King, T.; Koop; Kuempel; Lambert; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Wray; Wu; Zerwas.

Nays — Anderson, R.; Biedermann; Burns; Button; Cain; Craddick; Dean; Fallon; Hefner; Keough; Klick; Krause; Landgraf; Lang; Leach; Murr; Paul; Rinaldi; Sanford; Schaefer; Shaheen; Stickland; Swanson; Thompson, E.; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

Absent — Roberts; Schofield; Workman.

SB 195, as amended, was passed to third reading by (Record 1691): 96 Yeas, 52 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Burkett; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Darby; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Frullo; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; Kacal; King, K.; King, T.; Kuempel; Lambert; Larson; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schubert; Sheffield; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Anderson, R.; Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Canales; Capriglione; Craddick; Cyrier; Dale; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Goldman; Hefner; Hunter; Isaac; Keough; King, P.; Klick; Koop; Krause; Landgraf; Lang; Laubenberg; Leach; Lozano; Miller; Murr; Parker; Paul; Rinaldi; Sanford; Schaefer; Schofield; Shaheen; Shine; Simmons; Smithee; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; Villalba; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Metcalf.

STATEMENTS OF VOTE

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

Bell

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

Phelan

When Record No. 1691 was taken, I was shown voting yes. I intended to vote no.

Wilson

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

SB 2144 ON THIRD READING **(Huberty - House Sponsor)**

SB 2144, A bill to be entitled An Act relating to the creation of a commission to recommend improvements to the public school finance system.

SB 2144 was read third time earlier today and was postponed until this time.

Representative Huberty moved to postpone consideration of **SB 2144** until 1 a.m. tomorrow.

The motion prevailed.

CSSB 1148 ON SECOND READING **(G. Bonnen, Darby, et al. - House Sponsors)**

CSSB 1148, A bill to be entitled An Act relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state.

CSSB 1148 was read second time earlier today and was postponed until this time.

SB 1148 - POINTS OF ORDER

Representatives Cain, Farrar, Moody, and Dutton raised points of order against further consideration of **SB 1148** under Rule 4, Section 18; Rule 4, Section 32(c)(2); and Rule 8, Section 1(a) of the House Rules on the grounds that the committee minutes are incomplete, the committee report is incorrect, and the bill caption is inaccurate.

The speaker overruled the points of order and submitted the following statement:

One point of order raised by Representative Moody under Rule 4, Section 32(c)(2) of the House Rules asserted that the bill analysis is incorrect and misleading. Rule 4, Section 32(c)(2) requires each committee report on a bill to "include in summary or section-by-section form a detailed analysis of the subject matter of the bill," including "an analysis of the content of the bill." Representative Moody argues that the bill analysis reference to "an institution or program that is owned, operated, or licensed by the state or a political subdivision of the state" does not accurately reflect the bill, which also applies to some private institutions or programs that indirectly or directly receive state financial assistance. The relevant language in the bill lists entities that may not differentiate between physicians based on a physician's maintenance of certification. One such entity is "an institution or program that is owned, operated, or licensed by this state, including an institution or program that directly or indirectly receives state financial assistance . . ." The entities Representative Moody alleges are not addressed in the bill analysis are a subset of the entities referenced in the bill analysis: those that are owned, operated, or licensed by the state.

A second point of order raised by Representative Dutton under Rule 8, Section 1(a) of the House Rules urges that the caption does not accurately give the legislature and the public reasonable notice of the subject of the proposed measure as required by Rule 8, Section 1(a). The caption of **SB 1148** is "relating to maintenance of certification by a physician or an applicant for a license to practice medicine in this state." Representative Dutton argues that the caption is misleading because "maintenance of certification" is a term of art, and one could reasonably expect a bill with this caption to address details of how physicians are licensed to practice medicine, instead of what the bill refers to, which is being certified as a medical specialist by certain certifying boards. Representative Dutton further asserts that the caption is overly broad because it fails to detail what aspects of maintaining certification are addressed in the bill. Having examined the bill, the chair finds that the caption does provide reasonable notice that the bill addresses maintenance of certification (and not licensure) and is not overly broad.

A third point of order raised by Representatives Farrar and Cain under Rule 4, Section 18 of the House Rules asserts that the committee minutes are factually inaccurate and misleading. Rule 4, Section 18, requires that each committee keep complete minutes of the proceedings in committee. These minutes must include an accurate reflection of the time and place of each meeting of the committee. The minutes from the May 16, 2017, public hearing for the House Committee on Public Health state "pursuant . . . to permission granted on May 16, 2017, to meet while the house was in session, the House Committee on Public Health met in a public hearing. . . ." Representatives Farrar and Cain argue that an error exists because, although the committee received permission to meet while the house was in session, it did not actually meet until after the house had adjourned. It is undisputed and clear from the committee documents that the committee did not meet while the house was in session, and instead met only before the house convened (a meeting not in dispute on this point of order) and after final adjournment (which is alleged to be out of order). But there is no error

in this procedure. When the chair of the Committee on Public Health announced the committee meeting from the floor, two things happened. First, the chair requested permission for the committee to meet while the house was in session. This request was granted. Second, the clerk read a separate announcement providing notice of the committee's meeting upon adjournment. The notice read by the clerk satisfied the notice requirement of Rule 4, Section 18. The grant of permission to meet during session, while superfluous and unnecessary, was not out of order, nor did it render the subsequent committee meeting out of order.

(Kacal in the chair)

Amendment No. 1

Representative Coleman offered the following amendment to **CSSB 1148**:

Amend **SB 1148** (house committee printing) as follows:

(1) In SECTION 3 of the bill (page 3, line 17, through page 5, line 17), strike proposed Section 151.0515, Occupations Code (page 3, line 19, through page 4, line 17).

SB 196 - NOTICE GIVEN

At 10:22 p.m., pursuant to the provisions of Rule 7, Section 37(c) of the House Rules, Representative Ashby gave notice that he would, in one hour, move to reconsider the vote by which **SB 196**, as amended, failed to pass to third reading by Record No. 1688.

CSSB 1148 - (consideration continued)

Representative G. Bonnen moved to table Amendment No. 1.

The motion to table was lost by (Record 1692): 63 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Alonzo; Anderson, C.; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Cain; Capriglione; Cook; Cospere; Cyrier; Dale; Davis, S.; Davis, Y.; Deshotel; Faircloth; Flynn; Frank; Geren; Goldman; Gooden; Guerra; Hefner; Hinojosa; Holland; Hunter; Isaac; Johnson, J.; King, P.; Klick; Koop; Lambert; Lang; Leach; Martinez; Meyer; Muñoz; Oliverson; Paul; Phillips; Raymond; Reynolds; Rinaldi; Schaefer; Schofield; Shaheen; Sheffield; Simmons; Smithee; Springer; Stickland; Stucky; Swanson; Thompson, E.; Villalba; White; Wilson; Zedler.

Nays — Allen; Alvarado; Anchia; Anderson, R.; Arévalo; Ashby; Bernal; Blanco; Button; Canales; Clardy; Coleman; Collier; Cortez; Craddick; Darby; Dean; Dukes; Dutton; Fallon; Farrar; Frullo; Gervin-Hawkins; Giddings; Gonzales; González; Guillen; Gutierrez; Hernandez; Herrero; Howard; Huberty; Israel; Johnson, E.; Keough; King, K.; Krause; Kuempel; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Miller; Minjarez; Moody; Morrison; Murphy; Murr; Neave; Nevárez; Oliveira; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schubert; Shine; Stephenson; Thierry; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Vo; Walle; Workman; Wray; Wu; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Metcalf.

Absent — Elkins; King, T.

STATEMENTS OF VOTE

When Record No. 1692 was taken, I was shown voting no. I intended to vote yes.

Arévalo

When Record No. 1692 was taken, I was shown voting yes. I intended to vote no.

Y. Davis

When Record No. 1692 was taken, I was shown voting no. I intended to vote yes.

Dean

When Record No. 1692 was taken, I was shown voting no. I intended to vote yes.

Fallon

When Record No. 1692 was taken, I was shown voting yes. I intended to vote no.

Hinojosa

When Record No. 1692 was taken, I was shown voting no. I intended to vote yes.

Lozano

When Record No. 1692 was taken, I was shown voting no. I intended to vote yes.

Roberts

When Record No. 1692 was taken, I was shown voting no. I intended to vote yes.

Wray

Amendment No. 1 was adopted.

Amendment No. 2

Representative Dutton offered the following amendment to **CSSB 1148**:

Amend **CSSB 1148** as follows:

(1) In SECTION 3, delete Sec. 151.057 and replace it with the following new SECTION 4 and SECTION 5 as follows, and renumber the following sections as appropriate:

SECTION 4. CREATION OF JOINT INTERIM COMMITTEE. (a) A joint interim committee is created to study and assess maintenance of certification of physicians in this state.

(b) The joint interim committee shall be composed of five senators appointed by the lieutenant governor and five members of the house of representatives appointed by the speaker of the house of representatives.

(c) The lieutenant governor and speaker of the house of representatives shall each designate a co-chair from among the joint interim committee members.

(d) The joint interim committee shall convene at the joint call of the co-chairs.

(e) The joint interim committee shall include input from representatives from hospitals, the insurance industry, the physician community, the American Board of Medical Specialties, and the AOA Bureau of Osteopathic Specialties.

(f) The joint interim committee has all other powers and duties provided to a special or select committee by the rules of the senate and house of representatives, by Subchapter B, Chapter 301, Government Code, and by policies of the senate and house committees on administration.

SECTION 5. INTERIM STUDY REGARDING MAINTENANCE OF CERTIFICATION. The joint interim committee created by Section 4 of the Act shall:

(1) review, analyze, and assess:

(A) the entities who provide maintenance of certification for physicians in this state;

(B) the amount of time and expense required for a physician to complete the various maintenance of certification requirements;

(C) studies, reports, and scholarly materials demonstrating the impact of maintenance of certification programs on patient care;

(D) the adequacy of the maintenance of certification activities required of a physician in the area of practice improvement; and

(E) the degree to which maintenance of certification requirements are relevant to the practice of the particular medical speciality for which the maintenance of certification is provided.

(2) Not later than January 15, 2019, the joint interim committee shall report the committee's findings and recommendations to the lieutenant governor, the speaker of the house of representatives, and the governor. The joint interim committee shall include in its recommendations specific statutory and regulatory changes that are necessary from the results of the committee's study under Section 5 of this Act.

(3) Not later than the 60th day after the effective date of this Act, the lieutenant governor and the speaker of the house of representatives shall appoint the members of the joint interim committee created under this Act in accordance with that section.

(4) The joint interim committee created by this Act is abolished and the directives to this committee expire January 20, 2019.

(2) Delete existing SECTION 6.

Amendment No. 2 was adopted.

CSSB 1148, as amended, was passed to third reading by (Record 1693): 135 Yeas, 10 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Collier; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dukes; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; Gooden; Guerra; Guillen; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Arévalo; Coleman; Cortez; González; Gutierrez; Johnson, E.; Minjarez; Rodriguez, J.; Rose; Walle.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Metcalf.

Absent — Frank; Johnson, J.

STATEMENTS OF VOTE

When Record No. 1693 was taken, I was shown voting no. I intended to vote yes.

Coleman

When Record No. 1693 was taken, I was shown voting yes. I intended to vote no.

Farrar

When Record No. 1693 was taken, I was shown voting no. I intended to vote yes.

Minjarez

When Record No. 1693 was taken, I was shown voting no. I intended to vote yes.

Walle

GENERAL STATE CALENDAR (consideration continued)

CSSB 248 ON SECOND READING (Shine and Wilson - House Sponsors)

CSSB 248, A bill to be entitled An Act relating to the dissolution of the Chisholm Trail Special Utility District.

Amendment No. 1

Representatives Shine, Wilson, and Cosper offered the following amendment to **CSSB 248**:

Amend **CSSB 248** (house committee printing) on page 1, by striking lines 19 through 23, and substituting the following:

(b) The district may not vote on the issue of dissolution before the earlier of:

(1) August 31, 2019; or

(2) if the district is a party to a lawsuit pending on May 1, 2017, the date:

(A) a settlement is reached by all parties in the lawsuit; or

(B) a final judgment is entered in the lawsuit.

Amendment No. 1 was adopted.

CSSB 248, as amended, was passed to third reading.

SB 261 ON SECOND READING

(Guillen - House Sponsor)

SB 261, A bill to be entitled An Act relating to the bulk purchase of information technology commodity items by the Department of Information Resources.

SB 261 was passed to third reading.

SB 455 ON SECOND READING

(Minjarez - House Sponsor)

SB 455, A bill to be entitled An Act relating to the operations of the Employment-First Task Force.

SB 455 failed to pass to third reading by (Record 1694): 64 Yeas, 82 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dukes; Dutton; Farrar; Frank; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Klick; Larson; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Paddie; Perez; Pickett; Price; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; White; Wu.

Nays — Anderson, C.; Anderson, R.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Elkins; Faircloth; Fallon; Flynn; Frullo; Geren; Goldman; Gonzales; Hefner; Holland; Hunter; Isaac; Keough; King, K.; King, P.; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Laubenberg; Leach; Lozano; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Parker; Paul; Phelan; Phillips; Raney; Rinaldi; Roberts;

Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Metcalf.

Absent — Clardy.

STATEMENT OF VOTE

When Record No. 1694 was taken, I was shown voting yes. I intended to vote no.

Paddie

CSSB 468 ON SECOND READING (Oliveira - House Sponsor)

CSSB 468, A bill to be entitled An Act relating to the extraterritorial jurisdiction of certain municipalities in coastal border counties.

CSSB 468 was passed to third reading.

CSSB 470 ON SECOND READING (Neave - House Sponsor)

CSSB 470, A bill to be entitled An Act relating to the establishment of one or more supplemental county civil service commissions in certain counties.

CSSB 470 - POINT OF ORDER

Representative Workman raised a point of order against further consideration of **CSSB 470**.

The point of order was withdrawn.

Representative Neave moved to postpone consideration of **CSSB 470** until 10:49 p.m. today.

The motion prevailed.

SB 584 ON SECOND READING (Rose - House Sponsor)

SB 584, A bill to be entitled An Act relating to guidelines for prescribing opioid antagonists.

SB 584 - POINT OF ORDER

Representative Workman raised a point of order against further consideration of **SB 584** under Rule 4, Section 11 of the House Rules on the grounds that proper notice of the committee meeting was not given.

The point of order was withdrawn.

SB 584 was passed to third reading.

SB 490 ON SECOND READING
(Huberty - House Sponsor)

SB 490, A bill to be entitled An Act relating to information regarding the number of school counselors in public schools.

Amendment No. 1

Representative Guerra offered the following amendment to **SB 490**:

Amend **SB 490** (house committee printing) by adding the following appropriately numbered SECTION to the bill and renumbering SECTIONS of the bill accordingly:

SECTION _____. Section 33.007, Education Code, is amended by amending Subsection (b) and adding Subsection (b-1) to read as follows:

(b) During the first school year a student is enrolled in a high school or at the high school level in an open-enrollment charter school, and again during each year of a student's enrollment in high school or at the high school level, a school counselor shall provide information about postsecondary education to the student and the student's parent or guardian. The information must include information regarding:

- (1) the importance of postsecondary education;
- (2) the advantages of earning an endorsement and a performance acknowledgment and completing the distinguished level of achievement under the foundation high school program under Section 28.025;
- (3) the disadvantages of taking courses to prepare for a high school equivalency examination relative to the benefits of taking courses leading to a high school diploma;
- (4) financial aid eligibility;
- (5) instruction on how to apply for federal financial aid;
- (6) the center for financial aid information established under Section 61.0776;
- (7) the automatic admission of certain students to general academic teaching institutions as provided by Section 51.803;
- (8) the eligibility and academic performance requirements for the TEXAS Grant as provided by Subchapter M, Chapter 56; ~~and~~
- (9) the availability of programs in the district under which a student may earn college credit, including advanced placement programs, dual credit programs, joint high school and college credit programs, and international baccalaureate programs; and
- (10) the availability of education and training vouchers and tuition and fee waivers to attend an institution of higher education as provided by Section 54.366 for a student who is or was previously in the conservatorship of the Department of Family and Protective Services.

(b-1) When providing information under Subsection (b)(10), the school counselor must report to the student and the student's parent or guardian the number of times the counselor has provided the information to the student.

Amendment No. 1 was adopted.

SB 490, as amended, was passed to third reading.

SB 490 - HOUSE SPONSOR AUTHORIZED

On motion of Representative Huberty, Representative Lucio was authorized as a house sponsor to **SB 490**.

POSTPONED BUSINESS

The following bills were laid before the house as postponed business:

CSSB 470 ON SECOND READING

(Neave - House Sponsor)

CSSB 470, A bill to be entitled An Act relating to the establishment of one or more supplemental county civil service commissions in certain counties.

CSSB 470 was read second time earlier today and was postponed until this time.

CSSB 470 - POINT OF ORDER

Representative Workman raised a point of order against further consideration of **CSSB 470** under Rule 4, Section 32(c)(3) of the House Rules on the grounds that the bill analysis is incorrect.

The chair overruled the point of order and submitted the following statement:

Rule 4, Section 32(c)(3) of the House Rules requires the bill analysis to include "a statement indicating whether or not any rulemaking authority is expressly delegated . . . and, if so, identifying the sections of the measure in which that rulemaking authority is delegated." Representative Workman argues that Section 3 of the bill, which amends § 158.009(a-1) of the Local Government Code, creates rulemaking authority because it allows the *commissioners court of a county* to "adopt, publish, or enforce a rule." (Emphasis added). Representative Workman points out that the bill analysis states "it is the committee's opinion that this bill *does not* expressly grant any additional rulemaking authority to a state officer, department, agency, or institution." (Emphasis added).

While Representative Workman read the bill analysis correctly it is important to remember that Rule 4, Section 32(c)(3), only applies to a state officer, department, agency, or institution. However, the rule, by its express terms, does not apply to local county entities. The bill analysis complies with Rule 4, Section 32(c)(3). The point of order is respectfully overruled.

The vote of the house was taken on the passage to third reading of **CSSB 470** and the vote was announced yeas 71, nays 73.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1695): 72 Yeas, 73 Nays, 2 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Burkett; Button; Canales; Coleman; Collier; Cortez; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farrar; Geren; Gervin-Hawkins; Giddings; González;

Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Israel; Johnson, E.; Johnson, J.; King, T.; Koop; Lambert; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Muñoz; Murphy; Neave; Nevárez; Oliveira; Oliverson; Ortega; Perez; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Sheffield; Shine; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wu.

Nays — Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Dean; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Hunter; Isaac; Keough; King, K.; King, P.; Klick; Krause; Kuempel; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Miller; Morrison; Murr; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Shaheen; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker; Kacal(C).

Absent, Excused — Metcalf.

Absent — Anderson, R.; Dukes.

The chair stated that **CSSB 470** failed to pass to third reading by the above vote.

STATEMENT OF VOTE

When Record No. 1695 was taken, I was shown voting yes. I intended to vote no.

Lambert

MESSAGE FROM THE SENATE

A message from the senate was received at this time (see the addendum to the daily journal, Messages from the Senate, Message No. 3).

GENERAL STATE CALENDAR (consideration continued)

SB 491 ON SECOND READING (Howard - House Sponsor)

SB 491, A bill to be entitled An Act relating to the statewide preceptorship program in family medicine.

Amendment No. 1

Representative J. Rodriguez offered the following amendment to **SB 491**:

Amend **SB 491** by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 58.006, Education Code, is amended by amending Subsection (b) and adding Subsection (d) to read as follows:

(b) An organization eligible to receive funds under this subsection must:

(1) qualify for exemption from federal income tax under Section 501, Internal Revenue Code of 1986 (26 U.S.C. Section 501); or

(2) be operated by a state accredited medical school [~~as defined in Section 61.501(1)~~].

(d) For purposes of this section, "medical school" has the meaning assigned by Section 61.501(1), except that the term also includes the school of osteopathic medicine at the University of the Incarnate Word.

Amendment No. 1 was adopted by (Record 1696): 115 Yeas, 24 Nays, 5 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Goldman; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Perez; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Schubert; Shaheen; Sheffield; Shine; Smithee; Stephenson; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; Wray; Wu; Zerwas.

Nays — Bell; Biedermann; Cain; Fallon; Keough; Krause; Lang; Leach; Paul; Phillips; Rinaldi; Sanford; Schaefer; Simmons; Springer; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; White; Wilson; Workman; Zedler.

Present, not voting — Mr. Speaker; Capriglione; Farrar; Gooden; Kacal(C).

Absent, Excused — Metcalf.

Absent — Anderson, R.; Deshotel; Dukes; Giddings; Hefner.

STATEMENTS OF VOTE

When Record No. 1696 was taken, I was in the house but away from my desk. I would have voted yes.

Deshotel

When Record No. 1696 was taken, I was in the house but away from my desk. I would have voted yes.

Giddings

SB 491, as amended, was passed to third reading. (Capriglione recorded voting present, not voting.)

LEAVE OF ABSENCE GRANTED

The following member was granted leave of absence for the remainder of today because of important business in the district:

R. Anderson on motion of Schubert.

SB 262 ON SECOND READING
(Guillen - House Sponsor)

SB 262, A bill to be entitled An Act relating to certain purchasing by state agencies and local governments.

(Speaker in the chair)

Amendment No. 1

Representative Guillen offered the following amendment to **SB 262**:

Amend **SB 262** (house committee report) on page 1, line 23, between "system" and "shall", by inserting "under a contract listed on a schedule developed under this subchapter".

Amendment No. 1 was adopted.

SB 262, as amended, was passed to third reading.

SB 498 ON SECOND READING
(Neave - House Sponsor)

SB 498, A bill to be entitled An Act relating to the use of person first respectful language instead of the term "ward."

The vote of the house was taken on the passage to third reading of **SB 498** and the vote was announced yeas 70, nays 74.

A verification of the vote was requested and was granted.

The roll of those voting yea and nay was again called and the verified vote resulted, as follows (Record 1697): 72 Yeas, 73 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Clardy; Coleman; Collier; Cortez; Craddick; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farrar; Geren; Gervin-Hawkins; Giddings; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; King, T.; Kuempel; Lambert; Larson; Longoria; Lucio; Martinez; Meyer; Minjarez; Moody; Morrison; Muñoz; Murr; Neave; Nevárez; Oliveira; Ortega; Perez; Pickett; Price; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sheffield; Smithee; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Cook; Cospere; Cyrier; Dale; Darby; Dean; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Hefner; Holland; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Landgraf; Lang; Laubenberg; Leach; Lozano; Miller; Murphy; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Springer; Stickland; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Raymond.

The speaker stated that **SB 498** failed to pass to third reading by the above vote.

SB 625 ON SECOND READING
(Stephenson - House Sponsor)

SB 625, A bill to be entitled An Act relating to public access to financial and tax rate information of certain special purpose districts; imposing a civil penalty.

Amendment No. 1

Representative Rinaldi offered the following amendment to **SB 625**:

Amend **SB 625** (house committee report) on page 2, line 11, between "district" and the underlined semicolon, by inserting the following:
and, if the member holds an elected position:

(A) the date the member's term expires; and

(B) the deadline for a candidate to file an application for a place on the ballot for the election to fill the position held by the member

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

Amendment No. 1 - Vote Reconsidered

Representative Rinaldi moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

SB 625 was passed to third reading.

SB 196 - VOTE RECONSIDERED

Representative Ashby moved to reconsider the vote by which **SB 196**, as amended, failed to pass to third reading by Record No. 1688 earlier today.

The motion to reconsider prevailed.

SB 196 ON SECOND READING
(Coleman - House Sponsor)

The speaker laid before the house, on its second reading and passage to third reading,

SB 196, A bill to be entitled An Act relating to a notification requirement if a public school, including an open-enrollment charter school, does not have a nurse, school counselor, or librarian assigned to the school during all instructional hours.

SB 196 was read second time earlier today and failed to pass to third reading, as amended, by Record No. 1688.

SB 196, as amended, was passed to third reading.

SB 670 ON SECOND READING
(Price - House Sponsor)

SB 670, A bill to be entitled An Act relating to the appointment of the commissioners of the health and human services agencies by the governor.

SB 670 was passed to third reading.

SB 719 ON SECOND READING
(Raney - House Sponsor)

SB 719, A bill to be entitled An Act relating to requiring the Texas Higher Education Coordinating Board to collect and study data on the participation of persons with intellectual disabilities in workforce education programs.

Amendment No. 1

Representative Raney offered the following amendment to **SB 719**:

Amend **SB 719** (house committee printing) as follows:

(1) On page 1, line 6, strike "Section 61.0664(a), Education Code, is amended" and substitute "Section 61.0664, Education Code, is amended by amending Subsection (a) and adding Subsections (f), (g), (h), and (i)".

(2) On page 1, between lines 18 and 19, insert the following:

(f) The board, in consultation with public junior college districts, shall identify five junior college districts representative of each of the public junior college district peer groups as identified by the board, with two selected from the peer groups of the largest junior college district, and the geographic diversity of this state for the purpose of implementing a pilot program to develop and recommend minimum reporting language for financial and instructional cost information, including information relating to instruction of persons with intellectual and developmental disabilities. In consultation with the Legislative Budget Board, the junior college districts participating in the program shall study best practices for the reporting of revenue and costs allocated across the districts and the practicability of disaggregating financial and instructional cost information by instructional site within a junior college district. Participants in the study shall consider the following data:

(1) the number of contact hours, including those generated from distance learning;

(2) student attainment of completion milestones as measured by a performance funding formula established by the coordinating board under Section 51.3062(m);

(3) the total amount of state appropriations, tax revenue, in-district and out-of-district tuition and fee revenue, or any other revenue received by the junior college districts and the rates or methods by which those revenues are collected;

(4) the amount of money expended by the junior college districts for programs related to the participation, retention, and graduation of persons with intellectual and developmental disabilities;

(5) a statement of the total amount of money expended by the junior college districts;

(6) the number of full-time and adjunct faculty; and

(7) any other relevant data or reporting methodologies.

(g) Not later than June 1, 2018, the board and the participating junior college districts shall report to the Legislative Budget Board the findings from the study under Subsection (f), including best practices in reporting, methodologies in reporting, and a template for reporting. Each participating junior college district shall report to the board the district's financial and instructional costs using the reporting template not later than:

(1) September 1, 2019, for the state fiscal year ending August 31, 2019;

and

(2) September 1, 2020, for the state fiscal year ending August 31, 2020.

(h) To the extent of any conflict, Subsections (f) and (g) prevail over any rider regarding a reporting requirement following the appropriations to Public Community/Junior Colleges in **SB 1**, Acts of the 85th Legislature, Regular Session, 2017 (the General Appropriations Act).

(i) This subsection and Subsections (f), (g), and (h) expire December 31, 2020.

Amendment No. 1 was adopted by (Record 1698): 113 Yeas, 27 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Burkett; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Farrar; Flynn; Frank; Geren; Gervin-Hawkins; Giddings; Gonzales; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Schofield; Shaheen; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Bonnen, D.; Bonnen, G.; Burns; Burrows; Cain; Cyrier; Elkins; Fallon; Frullo; Goldman; Gooden; Hefner; Krause; Landgraf; Leach; Murr; Rinaldi; Sanford; Schaefer; Schubert; Simmons; Stickland; Swanson; Tinderholt; Wilson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Faircloth; Lang; Laubenberg; Oliveira; Perez; Thierry.

STATEMENT OF VOTE

When Record No. 1698 was taken, I was in the house but away from my desk. I would have voted no.

Lang

SB 719, as amended, was passed to third reading.

SB 810 ON SECOND READING (Howard - House Sponsor)

SB 810, A bill to be entitled An Act relating to the use of open educational resources.

Amendment No. 1

Representatives Howard, Huberty, Bohac, and Ashby offered the following amendment to **SB 810**:

Amend **SB 810** (house committee report) as follows:

(1) Strike page 9, lines 14 through 16.

(2) Add the following appropriately numbered SECTIONS to the bill:

SECTION _____. Section 31.001, Education Code, is amended to read as follows:

Sec. 31.001. FREE INSTRUCTIONAL MATERIALS. Instructional materials selected for use in the public schools shall be furnished without cost to the students attending those schools. Except as provided by Section 31.104(d), a school district may not charge a student for instructional material or technological equipment purchased by the district with the district's instructional materials and technology allotment.

SECTION _____. Sections 31.002(1) and (1-a), Education Code, are amended to read as follows:

(1) "Instructional material" means content that conveys the essential knowledge and skills of a subject in the public school curriculum through a medium or a combination of media for conveying information to a student. The term includes a book, supplementary materials, a combination of a book, workbook, and supplementary materials, computer software, magnetic media, DVD, CD-ROM, computer courseware, on-line services, or an electronic medium, or other means of conveying information to the student or otherwise contributing to the learning process through electronic means, including open education resource [~~open source~~] instructional material.

(1-a) "Open education resource [~~Open source~~] instructional material" means teaching, learning, and research resources that reside in the public domain or have been released under an intellectual property license that allows for free use, reuse, modification, and sharing with others, including full courses, course materials, modules, textbooks, streaming videos, tests, software, and any other tools, materials, or techniques used to support access to knowledge [~~electronic instructional material that is available for downloading from the Internet at no charge to a student and without requiring the purchase of an unlock code, membership, or other access or use charge, except for a charge to order an~~].

~~optional printed copy of all or part of the instructional material~~. The term includes state-developed open education resource ~~[open source]~~ instructional material purchased under Subchapter B-1.

SECTION _____. Section 31.004(b), Education Code, is amended to read as follows:

(b) To determine whether each student has instructional materials that cover all elements of the essential knowledge and skills as required by Subsection (a), a school district or open-enrollment charter school may consider:

- (1) instructional materials adopted by the State Board of Education;
- (2) materials adopted or purchased by the commissioner under Section 31.0231 or Subchapter B-1;
- (3) open education resource ~~[open source]~~ instructional materials submitted by eligible institutions and adopted by the State Board of Education under Section 31.0241;
- (4) open education resource ~~[open source]~~ instructional materials made available by other public schools; ~~and~~
- (5) instructional materials developed or purchased by the school district or open-enrollment charter school; and
- (6) open education resource instructional materials and other electronic instructional materials included in the repository under Section 31.083.

SECTION _____. Sections 31.005 and 31.021, Education Code, are amended to read as follows:

Sec. 31.005. FUNDING FOR OPEN-ENROLLMENT CHARTER SCHOOLS. An open-enrollment charter school is entitled to the instructional materials and technology allotment under this chapter and is subject to this chapter as if the school were a school district.

Sec. 31.021. STATE INSTRUCTIONAL MATERIALS AND TECHNOLOGY FUND. (a) The state instructional materials and technology fund consists of:

- (1) an amount set aside by the State Board of Education from the available school fund, in accordance with Section 43.001(d); and
- (2) all amounts lawfully paid into the fund from any other source.

(c) Money in the state instructional materials and technology fund shall be used to:

- (1) fund the instructional materials and technology allotment, as provided by Section 31.0211;
- (2) purchase special instructional materials for the education of blind and visually impaired students in public schools;
- (3) pay the expenses associated with the instructional materials adoption and review process under this chapter;
- (4) pay the expenses associated with the purchase or licensing of open education resource ~~[open source]~~ instructional material;
- (5) pay the expenses associated with the purchase of instructional material, including intrastate freight and shipping and the insurance expenses associated with intrastate freight and shipping;

(6) ~~fund the technology lending grant program established under Section 32.201; and~~

~~[(7)] provide funding to the Texas School for the Blind and Visually Impaired, the Texas School for the Deaf, and the Texas Juvenile Justice Department; and~~

~~(7) pay the expenses associated with the instructional materials web portal developed under Section 31.081.~~

(d) Money transferred to the state instructional materials and technology fund remains in the fund until spent and does not lapse to the state at the end of the fiscal year.

SECTION _____. The heading to Section 31.0211, Education Code, is amended to read as follows:

Sec. 31.0211. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ALLOTMENT.

SECTION _____. Sections 31.0211(a), (b), and (c), Education Code, are amended to read as follows:

(a) A school district is entitled to an allotment each biennium from the state instructional materials and technology fund for each student enrolled in the district on a date during the last year of the preceding biennium specified by the commissioner. The commissioner shall determine the amount of the allotment per student each biennium on the basis of the amount of money available in the state instructional materials and technology fund to fund the allotment. An allotment under this section shall be transferred from the state instructional materials and technology fund to the credit of the district's instructional materials and technology account as provided by Section 31.0212.

(b) A juvenile justice alternative education program under Section 37.011 is entitled to an allotment from the state instructional materials and technology fund in an amount determined by the commissioner. The program shall use the allotment to purchase items listed in Subsection (c) for students enrolled in the program. The commissioner's determination under this subsection is final and may not be appealed.

(c) Subject to Subsection (d), funds allotted under this section may be used to:

(1) purchase:

(A) materials on the list adopted by the commissioner, as provided by Section 31.0231;

(B) instructional materials, regardless of whether the instructional materials are on the list adopted under Section 31.024;

(C) consumable instructional materials, including workbooks;

(D) instructional materials for use in bilingual education classes, as provided by Section 31.029;

(E) instructional materials for use in college preparatory courses under Section 28.014, as provided by Section 31.031;

(F) supplemental instructional materials, as provided by Section 31.035;

(G) state-developed open education resource [~~open source~~] instructional materials, as provided by Subchapter B-1;

(H) instructional materials and technological equipment under any continuing contracts of the district in effect on September 1, 2011; and

(I) technological equipment necessary to support the use of materials included on the list adopted by the commissioner under Section 31.0231 or any instructional materials purchased with an allotment under this section; and

(2) pay:

(A) for training educational personnel directly involved in student learning in the appropriate use of instructional materials and for providing for access to technological equipment for instructional use; and

(B) the salary and other expenses of an employee who provides technical support for the use of technological equipment directly involved in student learning.

SECTION _____. The heading to Section 31.0212, Education Code, is amended to read as follows:

Sec. 31.0212. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ACCOUNT.

SECTION _____. Sections 31.0212(a), (b), (d), and (e), Education Code, are amended to read as follows:

(a) The commissioner shall maintain an instructional materials and technology account for each school district. In the first year of each biennium, the commissioner shall deposit in the account for each district the amount of the district's instructional materials and technology allotment under Section 31.0211.

(b) The commissioner shall pay the cost of instructional materials requisitioned by a school district under Section 31.103 using funds from the district's instructional materials and technology account.

(d) Money deposited in a school district's instructional materials and technology account during each state fiscal biennium remains in the account and available for use by the district for the entire biennium. At the end of each biennium, a district with unused money in the district's account may carry forward any remaining balance to the next biennium.

(e) The commissioner shall adopt rules as necessary to implement this section. The rules must include a requirement that a school district provide the title and publication information for any instructional materials requisitioned or purchased by the district with the district's instructional materials and technology allotment.

SECTION _____. Section 31.0213, Education Code, is amended to read as follows:

Sec. 31.0213. CERTIFICATION OF USE OF INSTRUCTIONAL MATERIALS AND TECHNOLOGY ALLOTMENT. Each school district shall annually certify to the commissioner that the district's instructional materials and technology allotment has been used only for expenses allowed by Section 31.0211.

SECTION _____. Section 31.0214(a), Education Code, is amended to read as follows:

(a) Each year the commissioner shall adjust the instructional materials and technology allotment of school districts experiencing high enrollment growth. The commissioner shall establish a procedure for determining high enrollment growth districts eligible to receive an adjustment under this section and the amount of the instructional materials and technology allotment those districts will receive.

SECTION _____. The heading to Section 31.0215, Education Code, is amended to read as follows:

Sec. 31.0215. INSTRUCTIONAL MATERIALS AND TECHNOLOGY ~~[MATERIAL]~~ ALLOTMENT PURCHASES.

SECTION _____. Sections 31.0215(b) and (c), Education Code, are amended to read as follows:

(b) The commissioner may allow a school district or open-enrollment charter school to place an order for instructional materials before the beginning of a fiscal biennium and to receive instructional materials before payment. The commissioner shall limit the cost of an order placed under this section to 80 percent of the estimated amount to which a school district or open-enrollment charter school is estimated to be entitled as provided by Subsection (a) and shall first credit any balance in a district or charter school instructional materials and technology account to pay for an order placed under this section.

(c) The commissioner shall make payments for orders placed under this section as funds become available to the instructional materials and technology fund and shall prioritize payment of orders placed under this section over reimbursement of purchases made directly by a school district or open-enrollment charter school.

SECTION _____. Section 31.022, Education Code, is amended by amending Subsection (d) and adding Subsections (g) and (h) to read as follows:

(d) At least 12 months before the beginning of the school year for which instructional materials for a particular subject and grade level will be adopted under the review and adoption cycle, the board shall publish notice of the review and adoption cycle for those instructional materials. A request for production must allow submission of open education resource ~~[open source]~~ instructional materials that are available for use by the state without charge on the same basis as instructional materials offered for sale.

(g) In reviewing and adopting instructional materials, the board shall consider a school district's need for technology as well as instructional materials and in any biennium may limit the adoption of instructional materials to provide sufficient resources to purchase technology resources, including digital curriculum.

(h) The board shall include information regarding open education resource instructional materials during the adoption cycle, including any cost savings associated with the adoption of open education resource instructional materials.

SECTION _____. Section 31.0231(b), Education Code, is amended to read as follows:

(b) A school district may select material on the list adopted under Subsection (a) to be funded by the district's instructional materials and technology allotment under Section 31.0211.

SECTION _____. The heading to Section 31.0241, Education Code, is amended to read as follows:

Sec. 31.0241. ADOPTION OF OPEN EDUCATION RESOURCE [~~OPEN SOURCE~~] INSTRUCTIONAL MATERIALS.

SECTION _____. Section 31.0241(b), Education Code, is amended to read as follows:

(b) The State Board of Education shall place open education resource [~~open source~~] instructional material for a secondary-level course submitted for adoption by an eligible institution on the list adopted under Section 31.023 if:

(1) the instructional material is written, compiled, or edited primarily by faculty of the eligible institution who specialize in the subject area of the instructional material;

(2) the eligible institution identifies each contributing author;

(3) the appropriate department of the eligible institution certifies the instructional material for accuracy; and

(4) the eligible institution determines that the instructional material qualifies for placement on the list based on the extent to which the instructional material covers the essential knowledge and skills identified under Section 28.002 for the subject for which the instructional material is written and certifies that:

(A) for instructional material for a senior-level course, a student who successfully completes a course based on the instructional material will be prepared, without remediation, for entry into the eligible institution's freshman-level course in that subject; or

(B) for instructional material for a junior-level and senior-level course, a student who successfully completes the junior-level course based on the instructional material will be prepared for entry into the senior-level course.

SECTION _____. Section 31.0242, Education Code, is amended to read as follows:

Sec. 31.0242. REVIEW OF OPEN EDUCATION RESOURCE [~~OPEN SOURCE~~] INSTRUCTIONAL MATERIAL. Not later than the 90th day after the date open education resource [~~open source~~] instructional material is submitted as provided by Section 31.0241, the State Board of Education may review the instructional material. The board shall:

(1) post with the list adopted under Section 31.023 comments made by the board regarding the open education resource [~~open source~~] instructional material placed on the list; and

(2) distribute board comments to school districts.

SECTION _____. Section 31.026(d), Education Code, is amended to read as follows:

(d) This section does not apply to open education resource [~~open source~~] instructional material.

SECTION _____. Section 31.0261, Education Code, is amended to read as follows:

Sec. 31.0261. CONTRACTS FOR PRINTING OF OPEN EDUCATION RESOURCE [OPEN SOURCE] INSTRUCTIONAL MATERIALS. The State Board of Education may execute a contract for the printing of open education resource [open source] instructional materials placed on the list adopted under Section 31.023. The contract must allow a school district to requisition printed copies of open education resource [open source] instructional materials as provided by Section 31.103.

SECTION _____. Section 31.027(c), Education Code, is amended to read as follows:

(c) This section does not apply to open education resource [open source] instructional material.

SECTION _____. Section 31.029(a), Education Code, is amended to read as follows:

(a) A school district shall purchase with the district's instructional materials and technology allotment or otherwise acquire instructional materials for use in bilingual education classes.

SECTION _____. Section 31.031(a), Education Code, is amended to read as follows:

(a) A school district may purchase with the district's instructional materials and technology allotment or otherwise acquire instructional materials for use in college preparatory courses under Section 28.014.

SECTION _____. The heading to Subchapter B-1, Chapter 31, Education Code, is amended to read as follows:

SUBCHAPTER B-1. STATE-DEVELOPED OPEN EDUCATION RESOURCE [OPEN SOURCE] INSTRUCTIONAL MATERIALS

SECTION _____. Sections 31.071, 31.072, 31.073, 31.074, and 31.075, Education Code, are amended to read as follows:

Sec. 31.071. PURCHASE AUTHORITY. (a) The commissioner may purchase state-developed open education resource [open source] instructional materials in accordance with this subchapter.

(b) The commissioner:

(1) shall purchase any state-developed open education resource [open source] instructional materials through a competitive process; and

(2) may purchase more than one state-developed open education resource [open source] instructional material for a subject or grade level.

(c) State-developed open education resource [open source] instructional material must be irrevocably owned by or licensed to the state for use in the applicable subject or grade level. The state must have unlimited authority to modify, delete, combine, or add content to the instructional material after purchase.

(d) The commissioner may issue a request for proposals for state-developed open education resource [open source] instructional material:

(1) in accordance with the instructional material review and adoption cycle under Section 31.022; or

(2) at any other time the commissioner determines that a need exists for additional instructional material options.

(e) The costs of administering this subchapter and purchasing state-developed open education resource ~~[open source]~~ instructional materials shall be paid from the state instructional materials and technology fund, as determined by the commissioner.

Sec. 31.072. CONTENT REQUIREMENTS. (a) State-developed open education resource ~~[open source]~~ instructional material must:

(1) be evaluated by teachers or other experts, as determined by the commissioner, before purchase; and

(2) meet the requirements for inclusion on the instructional material list adopted under Section 31.023.

(b) Following a curriculum revision by the State Board of Education, the commissioner shall require the revision of state-developed open education resource ~~[open source]~~ instructional material relating to that curriculum. The commissioner may, at any time, require an additional revision of state-developed open education resource ~~[open source]~~ instructional material or contract for ongoing revisions of state-developed open education resource ~~[open source]~~ instructional material for a period not to exceed the period under Section 31.022 for which instructional material for that subject and grade level may be adopted. The commissioner shall use a competitive process to request proposals to revise state-developed open education resource ~~[open source]~~ instructional material under this subsection.

Sec. 31.073. SELECTION BY SCHOOL DISTRICT. (c) Notwithstanding Section 31.022, a school district or open-enrollment charter school may adopt state-developed open education resource ~~[open source]~~ instructional material at any time, regardless of the instructional material review and adoption cycle under that section.

(d) A school district or open-enrollment charter school may not be charged for selection of state-developed open education resource ~~[open source]~~ instructional material in addition to instructional material adopted under Subchapter B.

Sec. 31.074. DISTRIBUTION. (a) The commissioner shall provide for the distribution of state-developed open education resource ~~[open source]~~ instructional materials in a manner consistent with distribution of instructional materials adopted under Subchapter B.

(b) The commissioner may use a competitive process to contract for printing or other reproduction of state-developed open education resource ~~[open source]~~ instructional material on behalf of a school district or open-enrollment charter school. The commissioner may not require a school district or open-enrollment charter school to contract with a state-approved provider for the printing or reproduction of state-developed open education resource ~~[open source]~~ instructional material.

Sec. 31.075. OWNERSHIP; LICENSING. (a) State-developed open education resource ~~[open source]~~ instructional material is the property of the state.

(b) The commissioner shall provide a license to each public school in the state, including a school district, an open-enrollment charter school, and a state or local agency educating students in any grade from prekindergarten through high school, to use and reproduce state-developed open education resource ~~[open source]~~ instructional material.

(c) The commissioner may provide a license to use state-developed open education resource ~~[open source]~~ instructional material to an entity not listed in Subsection (b). In determining the cost of a license under this subsection, the commissioner shall seek, to the extent feasible, to recover the costs of developing, revising, and distributing state-developed open education resource ~~[open source]~~ instructional materials.

SECTION _____. Section 31.076(b), Education Code, is amended to read as follows:

(b) A decision by the commissioner regarding the purchase, revision, cost, or distribution of state-developed open education resource ~~[open source]~~ instructional material is final and may not be appealed.

SECTION _____. Section 31.077, Education Code, is amended to read as follows:

Sec. 31.077. ADOPTION SCHEDULE. The commissioner shall develop a schedule for the adoption of state-developed open education resource ~~[open source]~~ instructional materials under this subchapter. In developing the adoption schedule under this section, the commissioner shall consider:

- (1) the availability of funds;
- (2) the existing instructional material adoption cycles under Subchapter B; and
- (3) the availability of instructional materials for development or purchase by the state.

SECTION _____. Chapter 31, Education Code, is amended by adding Subchapter B-2 to read as follows:

SUBCHAPTER B-2. INSTRUCTIONAL MATERIALS WEB PORTAL

Sec. 31.081. INSTRUCTIONAL MATERIALS WEB PORTAL. (a) The commissioner shall develop and maintain a web portal to assist school districts and open-enrollment charter schools in selecting instructional materials under Section 31.101.

(b) The web portal must include general information such as price, computer system requirements, and any other relevant specifications for each instructional material:

(1) on the instructional materials list, including the list adopted under Section 31.0231; or

(2) submitted by a publisher for inclusion in the web portal.

(c) The commissioner by rule shall establish the procedure by which a publisher may submit instructional materials for inclusion in the web portal.

(d) The commissioner shall use a competitive process to contract for the development of the web portal.

(e) The commissioner shall use money in the state instructional materials and technology fund to pay any expenses associated with the web portal.

Sec. 31.082. QUALITY OF INSTRUCTIONAL MATERIALS SUBMITTED BY PUBLISHER. (a) The commissioner shall contract with a private entity to conduct an independent analysis of each instructional material submitted by a publisher for inclusion in the web portal developed under Section 31.081. The analysis must:

(1) evaluate the quality of the material; and
(2) determine the extent to which the material covers the essential knowledge and skills identified under Section 28.002 for the subject and grade level for which the material is intended to be used, including an identification of:

(A) each of the essential knowledge and skills for the subject and grade level or levels covered by the material; and

(B) the percentage of the essential knowledge and skills for the subject and grade level or levels covered by the material.

(b) The commissioner shall include in the web portal developed under Section 31.081 the results of each analysis conducted under Subsection (a).

Sec. 31.083. INSTRUCTIONAL MATERIALS REPOSITORY. (a) The commissioner shall include in the web portal developed under Section 31.081 a repository of open education resource instructional materials and other electronic instructional materials that school districts and open-enrollment charter schools may access at no cost.

(b) A publisher may submit instructional materials for inclusion in the repository.

Sec. 31.084. RULES. The commissioner may adopt rules as necessary to implement this subchapter.

SECTION _____. Section 31.101, Education Code, is amended by adding Subsection (b) and amending Subsection (f) to read as follows:

(b) In selecting instructional material each year, a school district or open-enrollment charter school may consider the use of open education resource instructional materials.

(f) The commissioner shall maintain an online requisition system for school districts to requisition instructional materials to be purchased with the district's instructional materials and technology allotment.

SECTION _____. Section 31.103(d), Education Code, is amended to read as follows:

(d) A school district or open-enrollment charter school that selects open education resource [~~open source~~] instructional material shall requisition a sufficient number of printed copies for use by students unable to access the instructional material electronically unless the district or school provides to each student:

(1) electronic access to the instructional material at no cost to the student; or

(2) printed copies of the portion of the instructional material that will be used in the course.

SECTION _____. Sections 31.104(b), (g), and (h), Education Code, are amended to read as follows:

(b) A school district or open-enrollment charter school may order replacements for instructional materials that have been lost or damaged directly from the publisher of the instructional materials or any source for a printed copy of open education resource [~~open source~~] instructional material.

(g) At the end of the school year for which open education resource [~~open source~~] instructional material that a school district or open-enrollment charter school does not intend to use for another student is distributed, the printed copy of the open education resource [~~open source~~] instructional material becomes the property of the student to whom it is distributed.

(h) This section does not apply to an electronic copy of open education resource [~~open source~~] instructional material.

SECTION _____. Sections 31.151(d) and (e), Education Code, are amended to read as follows:

(d) A penalty collected under this section shall be deposited to the credit of the state instructional materials and technology fund.

(e) An eligible institution, as defined by Section 31.0241(a), that offers open education resource [~~open source~~] instructional materials under Section 31.0241 is not a publisher or manufacturer for purposes of this section.

SECTION _____. Section 32.001(b), Education Code, is amended to read as follows:

(b) The State Board of Education shall update [~~as necessary~~] the plan developed under Subsection (a) at least every five years.

SECTION _____. Section 41.124(c), Education Code, is amended to read as follows:

(c) A school district that receives tuition for a student from a school district with a wealth per student that exceeds the equalized wealth level may not claim attendance for that student for purposes of Chapters 42 and 46 and the instructional materials and technology allotment under Section 31.0211.

SECTION _____. Section 43.001(d), Education Code, is amended to read as follows:

(d) Each biennium the State Board of Education shall set aside an amount equal to 50 percent of the distribution for that biennium from the permanent school fund to the available school fund as provided by Section 5(a), Article VII, Texas Constitution, to be placed, subject to the General Appropriations Act, in the state instructional materials and technology fund established under Section 31.021.

SECTION _____. Section 403.093(d), Government Code, is amended to read as follows:

(d) The comptroller shall transfer from the general revenue fund to the foundation school fund an amount of money necessary to fund the foundation school program as provided by Chapter 42, Education Code. The comptroller shall make the transfers in installments as necessary to comply with Section 42.259, Education Code, and permit the Texas Education Agency, to the extent authorized by the General Appropriations Act, to make temporary transfers from the foundation school fund for payment of the instructional materials and technology allotment under Section 31.0211, Education Code. Unless an earlier

date is necessary for purposes of temporary transfers for payment of the instructional materials and technology allotment, an installment must be made not earlier than two days before the date an installment to school districts is required by Section 42.259, Education Code, and must not exceed the amount necessary for that payment and any temporary transfers for payment of the instructional materials and technology allotment.

SECTION _____. Not later than September 1, 2018, the commissioner of education shall develop the web portal required under Subchapter B-2, Chapter 31, Education Code, as added by this Act.

SECTION _____. In the event that **SB 1784**, 85th Legislature, Regular Session, 2017, is enacted and becomes law, any provisions repealed or language struck by that Act shall also be considered repealed or struck, as applicable, by this Act.

(3) Renumber the SECTIONS of the bill accordingly.

Amendment No. 1 was adopted by (Record 1699): 131 Yeas, 8 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Cain; Fallon; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Hefner; Laubenberg; Leach; Oliveira; Perez; Thierry; Zedler.

STATEMENT OF VOTE

When Record No. 1699 was taken, I was in the house but away from my desk. I would have voted yes.

Leach

Amendment No. 2

Representative Ashby offered the following amendment to **SB 810**:

Amend **SB 810** (house committee report) on page 8, line 6, between "agencies" and "and", by inserting ", textbook publishers, representatives of the open educational resource community,".

Amendment No. 2 was adopted by (Record 1700): 131 Yeas, 12 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Fallon; Isaac; Lang; Rinaldi; Schaefer; Shaheen; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Oliveira; Perez; Thierry.

SB 810, as amended, was passed to third reading.

SB 919 ON SECOND READING
(Coleman - House Sponsor)

SB 919, A bill to be entitled An Act relating to the authority of an advanced practice registered nurse or physician assistant to sign a death certificate in limited situations.

SB 919 was passed to third reading.

SB 1016 ON SECOND READING
(Bell - House Sponsor)

SB 1016, A bill to be entitled An Act relating to the appointment and duties of court investigators for certain courts in guardianship proceedings.

SB 1016 was passed to third reading.

CSSB 1056 ON SECOND READING
(Murr - House Sponsor)

CSSB 1056, A bill to be entitled An Act relating to the transfer of certain probate proceedings to the county in which the executor or administrator of a decedent's estate resides.

Amendment No. 1

Representative Murr offered the following amendment to **CSSB 1056**:

Amend **CSSB 1056** (house committee printing) by adding the following appropriately numbered SECTIONS to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. Subchapter B, Chapter 352, Estates Code, is amended by adding Section 352.054 to read as follows:

Sec. 352.054. REIMBURSEMENT FOR CERTAIN COSTS FOR ASSIGNED JUDGE. If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge to hear a contested matter in the proceeding under Section 32.003 and the motion is granted, the court may, on the court's own motion or on the motion of the party who filed the motion for the assignment, order that a county be reimbursed out of the estate for any amounts the county paid as compensation and expenses under Sections 25.0022(o) and (p), Government Code.

SECTION _____. Section 25.0022, Government Code, is amended by amending Subsections (m), (o), and (p) and adding Subsection (o-1) to read as follows:

(m) The presiding judge shall certify to the county judge in the county in which the assigned judge served:

- (1) the expenses approved under Subsection (l); ~~and~~
- (2) a determination of the assigned judge's salary; and
- (3) if applicable, a determination of the amounts to be apportioned to a party or between two or more parties to a probate proceeding as prescribed under Subsection (o-1), together with the contact information of the party or parties.

(o) The county in which the assigned judge served shall:

- (1) pay out of the general fund of the county:
 - (A) ~~(1)~~ expenses certified under Subsection (m) to the assigned judge; and

(B) ~~(2)~~ the salary certified under Subsection (m) to the county in which the assigned judge serves, or, if the assigned judge is a former or retired judge, to the assigned judge; and

(2) if applicable, seek reimbursement from one or more parties to a probate proceeding of the amounts apportioned to a party or between the parties as prescribed under Subsection (o-1).

(o-1) If a party to a probate proceeding files a motion for the assignment of a statutory probate court judge to hear a contested matter in the proceeding under Section 32.003, Estates Code, and the motion is granted, the assigned statutory probate court judge may, in accordance with Section 352.054, Estates Code, order that the county be reimbursed as an expense from the estate for any

amounts the county paid as compensation and expenses under Subsections (o) and (p). If the statutory probate court judge does not order the reimbursement of the county from the estate under this subsection:

(1) subject to Subdivision (2), the party who requested the assignment shall reimburse the county for the amounts paid by the county as compensation and expenses under Subsections (o) and (p); and

(2) if more than one party to a proceeding filed the motion for the assignment of the statutory probate court judge, the statutory probate court judge shall:

(A) prescribe the amounts or manner by which the judge's compensation and expenses are to be equitably apportioned between those parties for purposes of reimbursement under this section; and

(B) provide the amounts or manner of apportionment to the presiding judge.

(p) In addition to all compensation and expenses authorized by this section and other law, a judge who is assigned to a court outside the county of the judge's residence is entitled to receive \$25 for each day or fraction of a day served. Subject to Subsection (o-1), the [The] county in which the judge served shall pay the additional compensation from the county's general fund on certification by the presiding judge.

SECTION _____. Section 25.0022, Government Code, as amended by this Act, applies only to a motion for the assignment of a statutory probate court judge under Section 32.003, Estates Code, that is filed on or after the effective date of this Act. A motion filed before the effective date of this Act is governed by the law in effect on the date the motion was filed, and the former law is continued in effect for that purpose.

Amendment No. 1 was adopted by (Record 1701): 132 Yeas, 6 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Sanford; Schaefer; Schofield; Schubert; Shaheen; Shine; Simmons; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Cain; Lang; Rinaldi; Stickland; Swanson; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Burrows; Dukes; Dutton; Oliveira; Perez; Rose; Sheffield; Smithee; Thierry.

CSSB 1056, as amended, was passed to third reading.

CSSB 1091 ON SECOND READING
(Howard and Morrison - House Sponsors)

CSSB 1091, A bill to be entitled An Act relating to limitations on courses that may be offered for dual credit by school districts and public institutions of higher education.

CSSB 1091 was passed to third reading by (Record 1702): 132 Yeas, 10 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospier; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stucky; Thompson, E.; Thompson, S.; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zerwas.

Nays — Biedermann; Cain; Krause; Lang; Rinaldi; Schaefer; Stickland; Swanson; Tinderholt; Zedler.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Dutton; Oliveira; Perez; Thierry.

SB 1450 ON SECOND READING
(G. Bonnen - House Sponsor)

SB 1450, A bill to be entitled An Act relating to the rulemaking authority of the commissioner of insurance with respect to certain agreements and the effect of those agreements on this state's authority to regulate insurance.

SB 1450 was passed to third reading.

CSSB 1511 ON SECOND READING
(Price - House Sponsor)

CSSB 1511, A bill to be entitled An Act relating to the state and regional water planning process and the funding of projects included in the state water plan.

Amendment No. 1

Representative Larson offered the following amendment to **CSSB 1511**:

Amend **SB 1525** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 11.155, Water Code, is amended to read as follows:

Sec. 11.155. AQUIFER STORAGE AND RECOVERY REPORTS. (a) The board shall make studies, investigations, and surveys of the aquifers in the state as it considers necessary to determine the occurrence, quantity, quality, and availability of aquifers in which water may be stored and subsequently retrieved for beneficial use.

(b) The board, working with appropriate interested persons, including groundwater conservation districts, regional water planning groups, and potential sponsors of aquifer storage and recovery projects, shall:

(1) conduct studies of aquifer storage and recovery projects identified in the state water plan or by interested persons; and

(2) report the results of each study conducted under Subdivision (1) to regional water planning groups and interested persons.

(c) This subsection expires January 1, 2019. The board shall:

(1) conduct a statewide survey of the most favorable areas for aquifer storage and recovery;

(2) prepare a report that includes an overview of the survey conducted under Subdivision (1); and

(3) not later than December 15, 2018, submit the report described by Subdivision (2) to the governor, lieutenant governor, and speaker of the house of representatives. [~~The board shall undertake the studies, investigations, and surveys in the following order of priority:~~

~~(1) areas designated by the commission as "priority groundwater management areas" under Section 35.008; and~~

~~(2) other areas of the state in a priority to be determined by the board's ranking of where the greatest need exists.]~~

SECTION _____. The Texas Water Development Board is required to implement Sections 11.155(b) and (c), Water Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement Sections 11.155(b) and (c), Water Code, as added by this Act, using other appropriations available for the purpose.

Amendment No. 1 was adopted. (The vote was reconsidered later today, and Amendment No. 1 was withdrawn.)

Amendment No. 2

Representative Lucio offered the following amendment to **CSSB 1511**:

Amend **CSSB 1511** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill accordingly:

SECTION _____. (a) The legislature, as authorized by Section 16.051(f), Water Code, designates as being of unique ecological value the following river or stream segments:

(1) Alamito Creek in Presidio County solely within the boundary of the Trans Pecos Water Trust;

(2) Black Cypress Bayou from its confluence with Big Cypress Bayou in south central Marion County upstream to its confluence with Black Cypress Creek east of Avinger in southern Cass County;

(3) Black Cypress Creek from its confluence with Black Cypress Bayou east of Avinger in southern Cass County upstream to its headwaters located four miles northeast of Daingerfield in eastern Morris County; and

(4) Terlingua Creek in Brewster County solely within the boundary of Big Bend National Park.

(b) The designation of a river or stream segment as being of unique ecological value under Subsection (a) of this section:

(1) means only that a state agency or political subdivision of the state may not finance the actual construction of a reservoir in the designated segment;

(2) does not affect the ability of a state agency or political subdivision of the state to construct, operate, maintain, or replace a weir, a water diversion, flood control, drainage, or water supply system, a low water crossing, or a recreational facility in the designated segment;

(3) does not prohibit the permitting, financing, construction, operation, maintenance, or replacement of any water management strategy to meet projected water supply needs recommended in, or designated as an alternative in, a 2016 regional water plan; and

(4) does not alter any existing property right of an affected landowner.

Amendment No. 2 was adopted.

Amendment No. 1 - Vote Reconsidered

Representative Larson moved to reconsider the vote by which Amendment No. 1 was adopted.

The motion to reconsider prevailed.

Amendment No. 1 was withdrawn.

Amendment No. 3

Representative Larson offered the following amendment to **CSSB 1511**:

Amend **CSSB 1511** (house committee report) as follows:

(1) On page 8, lines 8 and 9, strike "aquifer storage and recovery projects to meet those needs" and substitute "meeting those needs through the use of aquifer storage and recovery projects, including a project described by rules adopted under Section 11.153 or 11.156".

(2) Add the following numbered SECTIONS to the bill and renumber the subsequent SECTIONS of the bill accordingly:

SECTION _____. Section 11.153, Water Code, is amended by amending Subsection (c) and adding Subsections (d), (e), and (f) to read as follows:

(c) ~~The [This section does not preclude the]~~ commission may consider [from considering] an aquifer storage and recovery project to be a component of a project permitted under this chapter that is not required to be based on the continuous availability of historic, normal stream flow.

(d) An aquifer storage and recovery project may involve the use of water derived from multiple sources, including a new appropriation of water. Except as provided by Subsection (e), a water right or an amendment to a water right authorizing a new appropriation of water for use in an aquifer storage and recovery project:

(1) must include any special conditions the commission considers necessary to implement this section;

(2) may be for water that is not continuously available;

(3) may authorize the diversion and use of excess flows in a watercourse or stream that would otherwise flow into the Gulf of Mexico; and

(4) may not interfere with or negatively affect:

(A) existing water rights in the same river basin as the diversion point for the new appropriation; or

(B) applicable environmental flow standards adopted under Section 11.1471.

(e) Before approving an application for a water right or an amendment to a water right for a new appropriation of water in the Rio Grande basin for an aquifer storage and recovery project, the commission shall consider the water accounting requirements for any international water sharing treaty, minutes, and agreement applicable to the Rio Grande basin and the effect of the project on the allocation of water by the Rio Grande watermaster in the middle and lower Rio Grande. The commission may not authorize a new appropriation of water that would result in a violation of a treaty or court decision.

(f) The commission may adopt rules providing an expedited procedure for acting on an application for a water right or an amendment to a water right under this section.

SECTION _____. Subchapter D, Chapter 11, Water Code, is amended by adding Section 11.156 to read as follows:

Sec. 11.156. AMENDMENT TO CONVERT USE FROM RESERVOIR STORAGE TO AQUIFER STORAGE AND RECOVERY. (a) In this section, "aquifer storage and recovery project" has the meaning assigned by Section 27.151.

(b) A holder of a water right authorizing an appropriation of water for storage in a storage reservoir that has not been constructed may file an application for an amendment to the water right to change the use or purpose for which the appropriation is to be made to storage in an aquifer as part of an aquifer storage and recovery project.

(c) An application for an amendment to a water right described by Subsection (b) may request an increase in the amount of water that may be diverted or the rate of diversion on the basis of an evaporation credit that takes into account the amount of water that would have evaporated if the storage reservoir had been constructed.

(d) An application for an amendment to a water right described by Subsection (b):

(1) is exempt from any notice and hearing requirements of a statute, commission rule, or permit condition and may not be referred to the State Office of Administrative Hearings for a contested case hearing if the application does not request:

(A) an increase in the amount of water that may be diverted or the rate of diversion; or

(B) a change in the diversion point; and

(2) is subject to the notice and hearing requirements of this chapter if the application requests:

(A) an increase in the amount of water that may be diverted or the rate of diversion, including an increase on the basis of an evaporation credit; or

(B) a change in the diversion point.

(e) If the commission grants an application for an amendment to a water right described by Subsection (d)(2), the commission shall include in the amendment any special conditions the commission considers necessary to:

(1) protect existing water rights; and

(2) comply with any applicable environmental flow standards established under Section 11.1471.

(f) The commission may adopt rules providing an expedited procedure for acting on an application for an amendment to a water right described by Subsection (b).

Amendment No. 3 was adopted.

CSSB 1511, as amended, was passed to third reading.

SB 1525 ON SECOND READING (Larson - House Sponsor)

SB 1525, A bill to be entitled An Act relating to a study by the Texas Water Development Board of water needs and availability in this state.

Amendment No. 1

Representative Larson offered the following amendment to **SB 1525**:

Amend **SB 1525** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 11.155, Water Code, is amended to read as follows:

Sec. 11.155. AQUIFER STORAGE AND RECOVERY REPORTS. (a) The board shall make studies, investigations, and surveys of the aquifers in the state as it considers necessary to determine the occurrence, quantity, quality, and availability of aquifers in which water may be stored and subsequently retrieved for beneficial use.

(b) The board, working with appropriate interested persons, including groundwater conservation districts, regional water planning groups, and potential sponsors of aquifer storage and recovery projects, shall:

(1) conduct studies of aquifer storage and recovery projects identified in the state water plan or by interested persons; and

(2) report the results of each study conducted under Subdivision (1) to regional water planning groups and interested persons.

(c) This subsection expires January 1, 2019. The board shall:

(1) conduct a statewide survey of the most favorable areas for aquifer storage and recovery;

(2) prepare a report that includes an overview of the survey conducted under Subdivision (1); and

(3) not later than December 15, 2018, submit the report described by Subdivision (2) to the governor, lieutenant governor, and speaker of the house of representatives. [~~The board shall undertake the studies, investigations, and surveys in the following order of priority:~~

~~(1) areas designated by the commission as "priority groundwater management areas" under Section 35.008; and~~

~~(2) other areas of the state in a priority to be determined by the board's ranking of where the greatest need exists.]~~

SECTION _____. The Texas Water Development Board is required to implement Sections 11.155(b) and (c), Water Code, as added by this Act, only if the legislature appropriates money specifically for that purpose. If the legislature does not appropriate money specifically for that purpose, the board may, but is not required to, implement Sections 11.155(b) and (c), Water Code, as added by this Act, using other appropriations available for the purpose.

Amendment No. 1 was adopted.

SB 1525, as amended, was passed to third reading.

SB 1557 ON SECOND READING
(Shine and Darby - House Sponsors)

SB 1557, A bill to be entitled An Act relating to the administration of gasoline and diesel fuel motor fuels taxes and the fee on the delivery of certain petroleum products.

SB 1557 was passed to third reading.

SB 1592 ON SECOND READING
(Oliverson - House Sponsor)

SB 1592, A bill to be entitled An Act relating to the amount of an administrative penalty assessed against freestanding emergency medical care facilities.

SB 1592 - POINT OF ORDER

Representative Rinaldi raised a point of order against further consideration of **SB 1592** under Rule 4, Section 32(c)(1) of the House Rules on the grounds that the committee report is incorrect.

The point of order was withdrawn.

Representative Oliverson moved to postpone consideration of **SB 1592** until 11:55 p.m. today.

The motion prevailed.

SB 1633 ON SECOND READING
(Oliverson, et al. - House Sponsors)

SB 1633, A bill to be entitled An Act relating to the provision of pharmacy services through a telepharmacy system; establishing a remote dispensing site license.

Amendment No. 1

Representative Burkett offered the following amendment to **SB 1633**:

Amend **SB 1633** (house committee report) by adding the following appropriately numbered SECTIONS to the bill and renumbering the SECTIONS of the bill accordingly:

SECTION _____. Section 551.003, Occupations Code, is amended by adding Subdivision (15-a) to read as follows:

(15-a) "Direct supervision" means supervision by a pharmacist who directs the activities of a pharmacist-intern, pharmacy technician, or pharmacy technician trainee to a sufficient degree to ensure the activities are performed accurately, safely, and without risk of harm to patients, as specified by board rule.

SECTION _____. Section 554.053(a), Occupations Code, is amended to read as follows:

(a) The board shall establish rules for the use and the duties of a pharmacy technician and pharmacy technician trainee employed by [##] a pharmacy licensed by the board. A pharmacy technician and pharmacy technician trainee shall be responsible to and must be directly supervised by a pharmacist.

Amendment No. 1 was adopted.

Amendment No. 2

Representative Flynn offered the following amendment to **SB 1633**:

Amend **SB 1663** (house committee report) by adding the following appropriately numbered SECTION to the bill and renumbering subsequent SECTIONS of the bill as appropriate:

SECTION _____. SUNSET PROVISION. Section 825.006, Government Code, is amended to read as follows:

Sec. 825.006. SUNSET PROVISION. The board of trustees of the Teacher Retirement System of Texas is subject to review under Chapter 325 (Texas Sunset Act), but is not abolished under that chapter. The board shall be reviewed during the period in which state agencies abolished in 2025 [~~2019~~], and every 12th year after that year, are reviewed.

Amendment No. 2 was withdrawn.

Amendment No. 3

Representative Arévalo offered the following amendment to **SB 1633**:

Amend **SB 1633** (house committee report) as follows:

- (1) On page 1, line 16, strike "and controlled substances".
- (2) On page 3, strike lines 8 through 11, and reletter the paragraphs of Section 562.110(e)(3), Occupations Code, accordingly.
- (3) On page 4, lines 21 and 22, strike "listed in Schedule II as established by the commissioner of state health services under Chapter 481, Health and Safety Code,".

Amendment No. 3 failed of adoption by (Record 1703): 52 Yeas, 92 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Coleman; Collier; Cortez; Davis, Y.; Deshotel; Dutton; Farrar; Gervin-Hawkins; Giddings; González; Guerra; Guillen; Gutierrez; Hernandez; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Lucio; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Pickett; Raymond; Reynolds; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cospers; Craddick; Cyrier; Dale; Darby; Davis, S.; Dean; Elkins; Faircloth; Fallon; Flynn; Frank; Frullo; Geren; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Lozano; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Paul; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Herrero; Perez.

Amendment No. 4

Representative Oliverson offered the following amendment to **SB 1633**:

Amend **SB 1633** (house committee report) as follows:

(1) On page 4, line 6, strike "and".

(2) On page 4, between lines 6 and 7, insert the following:

(I) a requirement that pharmacy technicians at a remote dispensing site may not perform extemporaneous sterile or nonsterile compounding but may prepare commercially available medications for dispensing, including the reconstitution of orally administered powder antibiotics; and

(3) On page 4, line 7, strike "(I)" and substitute "(J)".

Amendment No. 4 was adopted.

Amendment No. 5

Representative K. King offered the following amendment to **SB 1633**:

Amend **SB 1633** (house committee report) as follows:

(1) On page 1, line 8, strike "and (i)" and substitute "(i), and (j)".

(2) On page 4, line 19, strike "A" and substitute "Except as provided by Subsection (i), a".

(3) On page 4, line 24, strike "If" and substitute "Except as provided by Subsection (i), if".

(4) On page 4, between lines 26 and 27, insert the following:

(i) A telepharmacy system located at a remote dispensing site under Subsection (d)(2) in a county with a population of at least 13,000 but not more than 14,000 may not be located within 22 miles by road of a Class A pharmacy. If a Class A pharmacy is established within 22 miles by road of a remote dispensing site described by this subsection that is currently operating, the remote dispensing site may continue to operate at that location.

(5) On page 4, line 27, strike "(i)" and substitute "(j)".

Amendment No. 5 was adopted by (Record 1704): 102 Yeas, 37 Nays, 1 Present, not voting.

Yeas — Allen; Alvarado; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Biedermann; Blanco; Burkett; Burns; Button; Clardy; Cortez; Cospers; Craddick; Dale; Darby; Davis, S.; Davis, Y.; Deshotel; Dutton; Elkins; Farrar; Flynn; Frullo; Geren; Gervin-Hawkins; Gonzales; Gooden; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Isaac; Israel; Johnson, E.; Kacal; King, K.; King, P.; King, T.; Klick; Koop; Kuempel; Lambert; Landgraf; Larson; Laubenberg; Leach; Longoria; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Schofield; Sheffield; Shine; Smithee; Springer; Stephenson; Stucky; Thierry; Thompson, S.; Turner; Uresti; VanDeaver; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Anchia; Bernal; Bonnen, D.; Bonnen, G.; Burrows; Cain; Canales; Capriglione; Collier; Cook; Cyrier; Dean; Faircloth; Fallon; Frank; Goldman; Guerra; Hunter; Johnson, J.; Keough; Krause; Lang; Lozano; Nevárez; Paul; Rodriguez, J.; Romero; Sanford; Schaefer; Schubert; Shaheen; Simmons; Stickland; Swanson; Thompson, E.; Tinderholt; Villalba.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Alonzo; Bohac; Coleman; Dukes; Giddings; González; Perez; Rose.

Amendment No. 6

Representative Collier offered the following amendment to **SB 1633**:

Amend **SB 1633** (house committee printing) as follows:

(1) In SECTION 1 of the bill, page 2, line 19, strike Subsection (e)(2) in its entirety and substitute in its place:

(2) the locations eligible to be licensed as remote dispensing sites, which shall be limited to counties with a population of no more than ten thousand (10,000) according to the most recent census tract;

Amendment No. 6 failed of adoption by (Record 1705): 48 Yeas, 87 Nays, 1 Present, not voting.

Yeas — Alonzo; Alvarado; Anchia; Arévalo; Bernal; Blanco; Canales; Collier; Cortez; Deshotel; Dutton; Farrar; Geren; Gervin-Hawkins; González; Guerra; Guillen; Gutierrez; Hernandez; Herrero; Hinojosa; Howard; Israel; Johnson, E.; Johnson, J.; King, T.; Longoria; Martinez; Minjarez; Moody; Muñoz; Neave; Nevárez; Oliveira; Ortega; Pickett; Raymond; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Thierry; Thompson, S.; Turner; Uresti; Vo; Walle; Wu.

Nays — Anderson, C.; Ashby; Bailes; Bell; Biedermann; Bohac; Bonnen, D.; Bonnen, G.; Burns; Burrows; Button; Cain; Capriglione; Clardy; Cook; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Faircloth; Fallon; Flynn; Frank; Frullo; Goldman; Gonzales; Gooden; Hefner; Holland; Huberty; Hunter; Isaac; Kacal; Keough; King, K.; King, P.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Leach; Lozano; Lucio; Meyer; Miller; Morrison; Murphy; Murr; Oliverson; Paddie; Parker; Phelan; Phillips; Price; Raney; Rinaldi; Roberts; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Tinderholt; VanDeaver; Villalba; White; Wilson; Workman; Wray; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Allen; Burkett; Coleman; Davis, Y.; Dean; Dukes; Elkins; Giddings; Laubenberg; Paul; Perez; Reynolds.

STATEMENT OF VOTE

When Record No. 1705 was taken, I was in the house but away from my desk. I would have voted no.

Burkett

SB 1633, as amended, was passed to third reading.

CSSB 1663 ON SECOND READING (Flynn - House Sponsor)

CSSB 1663, A bill to be entitled An Act relating to contributions to, benefits from, late fees imposed by, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

CSSB 1663 was passed to third reading by (Record 1706): 139 Yeas, 4 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Neave; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Phillips; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Nays — Collier; Guerra; Murr; Nevárez.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Guillen; Johnson, J.; Perez.

STATEMENTS OF VOTE

When Record No. 1706 was taken, I was shown voting no. I intended to vote yes.

Collier

When Record No. 1706 was taken, I was shown voting no. I intended to vote yes.

Guerra

When Record No. 1706 was taken, my vote failed to register. I would have voted present, not voting.

Guillen

When Record No. 1706 was taken, I was shown voting no. I intended to vote yes.

Murr

When Record No. 1706 was taken, I was shown voting no. I intended to vote yes.

Nevárez

SB 1664 ON SECOND READING
(Flynn - House Sponsor)

SB 1664, A bill to be entitled An Act relating to contributions to, benefits from, membership in, and the administration of systems and programs administered by the Teacher Retirement System of Texas.

SB 1664 was passed to third reading by (Record 1707): 142 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cosper; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Perez; Phelan; Phillips; Pickett; Price; Raney; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thierry; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Deshotel; Dukes; Guillen; Moody; Raymond.

STATEMENT OF VOTE

When Record No. 1707 was taken, my vote failed to register. I would have voted present, not voting.

Guillen

SB 1665 ON SECOND READING
(Flynn - House Sponsor)

SB 1665, A bill to be entitled An Act relating to the investment authority of the Teacher Retirement System of Texas.

SB 1665 was passed to third reading by (Record 1708): 143 Yeas, 0 Nays, 1 Present, not voting.

Yeas — Allen; Alonzo; Alvarado; Anchia; Anderson, C.; Arévalo; Ashby; Bailes; Bell; Bernal; Biedermann; Blanco; Bohac; Bonnen, D.; Bonnen, G.; Burkett; Burns; Burrows; Button; Cain; Canales; Capriglione; Clardy; Coleman; Collier; Cook; Cortez; Cospere; Craddick; Cyrier; Dale; Darby; Davis, S.; Davis, Y.; Dean; Deshotel; Dutton; Elkins; Faircloth; Fallon; Farrar; Flynn; Frank; Frullo; Geren; Gervin-Hawkins; Giddings; Goldman; Gonzales; González; Gooden; Guerra; Guillen; Gutierrez; Hefner; Hernandez; Herrero; Hinojosa; Holland; Howard; Huberty; Hunter; Isaac; Israel; Johnson, E.; Johnson, J.; Kacal; Keough; King, K.; King, P.; King, T.; Klick; Koop; Krause; Kuempel; Lambert; Landgraf; Lang; Larson; Laubenberg; Leach; Longoria; Lozano; Lucio; Martinez; Meyer; Miller; Minjarez; Moody; Morrison; Muñoz; Murphy; Murr; Neave; Nevárez; Oliveira; Oliverson; Ortega; Paddie; Parker; Paul; Phelan; Pickett; Price; Raney; Raymond; Reynolds; Rinaldi; Roberts; Rodriguez, E.; Rodriguez, J.; Romero; Rose; Sanford; Schaefer; Schofield; Schubert; Shaheen; Sheffield; Shine; Simmons; Smithee; Springer; Stephenson; Stickland; Stucky; Swanson; Thompson, E.; Thompson, S.; Tinderholt; Turner; Uresti; VanDeaver; Villalba; Vo; Walle; White; Wilson; Workman; Wray; Wu; Zedler; Zerwas.

Present, not voting — Mr. Speaker(C).

Absent, Excused — Anderson, R.; Metcalf.

Absent — Dukes; Perez; Phillips; Thierry.

STATEMENT OF VOTE

When Record No. 1708 was taken, my vote failed to register. I would have voted yes.

Phillips

SB 1680 ON SECOND READING
(Raymond - House Sponsor)

SB 1680, A bill to be entitled An Act relating to a task force of border health officials.

SB 1680 was passed to third reading. (Hunter, Phillips, and Rinaldi recorded voting no.)

SB 1780 ON SECOND READING
(Guillen - House Sponsor)

SB 1780, A bill to be entitled An Act relating to the amount of compensation and allowances of a county auditor in certain counties.

SB 1780 was passed to third reading. (Hunter, Phillips, and Rinaldi recorded voting no.)

SB 1805 ON SECOND READING
(Lucio - House Sponsor)

SB 1805, A bill to be entitled An Act relating to the multiuse training and operations center facility.

SB 1805 was passed to third reading.

CSSB 1090 ON SECOND READING
(S. Davis, R. Anderson, Minjarez, Laubenberg,
Farrar, et al. - House Sponsors)

CSSB 1090, A bill to be entitled An Act relating to the unlawful restraint of a dog; creating a criminal offense.

Amendment No. 1

Representative Bell offered the following amendment to **CSSB 1090**:

Amend **CSSB 1090** (house committee report) as follows:

(1) On page 4, strike lines 8 through 11, and substitute the following:

Sec. 821.104. OFFENSE; PENALTY. (a) A peace officer or animal control officer who has probable cause to believe that an owner is violating this section shall provide the owner with a written statement of that fact. The statement must be signed by the officer and plainly state the date and time the statement is provided to the owner.

(b) A person commits an offense if the person is provided a statement described by Subsection (a) and fails to comply with this subchapter within 24 hours of the time the owner is provided the statement. The restraint of each dog with respect to which there is a violation is a separate offense.

(2) On page 4, line 12, strike "(b)" and substitute "(c)".

(3) On page 4, line 14, strike "(c)" and substitute "(d)".

CSSB 1090 - POINT OF ORDER

Representative Phillips raised a point of order against further consideration of **CSSB 1090** under Rule 8, Section 13(c) of the House Rules on the grounds that the deadline for consideration of senate bills on second reading had passed.

The speaker sustained the point of order.

PROVIDING FOR RECESS

At 12:03 a.m., Wednesday, May 24, Representative Geren moved that, at the conclusion of the reading of bills and resolutions on first reading and referral to committees and the receipt of messages from the senate, the house recess until 10 a.m. today.

The motion prevailed.

(Gooden in the chair)

RESOLUTIONS REFERRED TO COMMITTEES

Resolutions were at this time laid before the house and referred to committees. (See the addendum to the daily journal, Referred to Committees, List No. 1.)

(Bell in the chair)

MESSAGES FROM THE SENATE

Messages from the senate were received at this time (see the addendum to the daily journal, Messages from the Senate, Message Nos. 4 and 5).

RECESS

In accordance with a previous motion, the house, at 9:32 a.m. Wednesday, May 24, recessed until 10 a.m. today.

ADDENDUM

REFERRED TO COMMITTEES

The following bills and joint resolutions were today laid before the house, read first time, and referred to committees, and the following resolutions were today laid before the house and referred to committees. If indicated, the chair today corrected the referral of the following measures:

List No. 1

HCR 148 (By Kacal), Commending Elizabeth J. Nelson on her service as mayor of Marlin.

To Rules and Resolutions.

HR 2226 (By Craddick), Congratulating Eddie Lee of Midland Christian School on his receipt of an honorary doctorate from Abilene Christian University.

To Rules and Resolutions.

HR 2228 (By Herrero), Congratulating Alfonso Cohuo on his receipt of an Outstanding Award from the McNair Scholars Program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2229 (By Murr), Congratulating the Junction High School cheerleading squad on winning the UIL 2A Spirit State Championship for two consecutive years.

To Rules and Resolutions.

HR 2230 (By Cain), Congratulating Savannah Cushman of Sea Scout Ship 208, SSS Red Skies, in Baytown on her appointment as the 2017-2018 regional boatswain for the Sea Scouts Southern Region.

To Rules and Resolutions.

HR 2231 (By Romero), Commending the graduates of Parent University at Manuel Jara Elementary School in Fort Worth.

To Rules and Resolutions.

HR 2233 (By Martinez), In memory of Anthony Guajardo of Weslaco.

To Rules and Resolutions.

HR 2234 (By Goldman), Congratulating 14-year-old Carson Huey-You on his graduation from Texas Christian University.

To Rules and Resolutions.

HR 2235 (By Sheffield), Congratulating Dr. Mark A. Baker on his appointment as president of the American Osteopathic Association.

To Rules and Resolutions.

HR 2236 (By Sheffield), Congratulating Dr. Rodney M. Wiseman on his election as president of the American College of Osteopathic Family Physicians.

To Rules and Resolutions.

HR 2238 (By Y. Davis), Commending Tera M. Coffey for her service in the office of State Representative Yvonne Davis.

To Rules and Resolutions.

HR 2239 (By Y. Davis), Commending Shannon Wissel for her service as an assistant in the office of State Representative Yvonne Davis.

To Rules and Resolutions.

HR 2242 (By Anchia), Congratulating the members of the Leadership Dallas Class of 2017.

To Rules and Resolutions.

HR 2243 (By Price), In memory of Lometa Odom of Amarillo.

To Rules and Resolutions.

HR 2246 (By Schubert), Commemorating the 150th anniversary of the Brenham Fire Department.

To Rules and Resolutions.

HR 2247 (By Gooden), Congratulating Garrett and Barbara Smith of Athens on their 65th wedding anniversary.

To Rules and Resolutions.

HR 2248 (By C. Anderson), In memory of Billy G. McGinnis of Troy.

To Rules and Resolutions.

HR 2249 (By Gooden), Congratulating Daniel Fisher of Plano on attaining the rank of Eagle Scout.

To Rules and Resolutions.

HR 2250 (By Gooden), Congratulating Terrell chief of police Jody Lay on his retirement.

To Rules and Resolutions.

HR 2251 (By Gooden), Congratulating Patrick Wallace on his retirement from East Texas Medical Center of Athens.

To Rules and Resolutions.

HR 2253 (By Price), Congratulating the Panhandle High School girls' basketball team on winning the 2017 UIL 2A state championship.

To Rules and Resolutions.

HR 2254 (By Price), Commending Jessica Dorsey of Claude on her service as a legislative intern.

To Rules and Resolutions.

HR 2255 (By Price), Commending Hunter Tormey for his service as a legislative intern in the office of State Representative Four Price.

To Rules and Resolutions.

HR 2256 (By Price), Commemorating Memorial Day 2017.

To Rules and Resolutions.

HR 2257 (By Price), Commemorating the 30th anniversary of President Ronald Reagan's speech at the Berlin Wall on June 12, 1987.

To Rules and Resolutions.

HR 2258 (By Price), Commemorating Flag Day 2017.

To Rules and Resolutions.

HR 2259 (By Price), Commemorating the Fourth of July, 2017.

To Rules and Resolutions.

HR 2260 (By Cain), In memory of Linda Cottar of Baytown.

To Rules and Resolutions.

HR 2262 (By Price), Recognizing September 17, 2017, as Constitution Day.

To Rules and Resolutions.

HR 2263 (By Dean), Congratulating the girls' track and field team of Union Grove High School in Gladewater on winning the 2017 UIL 2A state championship.

To Rules and Resolutions.

HR 2264 (By Wu), Congratulating the Wisdom High School boys' soccer team on its success during the 2016-2017 season.

To Rules and Resolutions.

HR 2265 (By E. Rodriguez), In memory of John Treviño Jr. of Austin.

To Rules and Resolutions.

HR 2266 (By Klick), Congratulating Linda Caram of Fort Worth on her 50th anniversary with AT&T.

To Rules and Resolutions.

HR 2267 (By Anchia), Commending Andrea Ojeda for her service as a legislative intern in the office of State Representative Rafael Anchia.

To Rules and Resolutions.

HR 2268 (By Meyer), Congratulating Ryan and Lauren Trimble on the birth of their daughter, Tabitha Mae Trimble.

To Rules and Resolutions.

HR 2269 (By Gutierrez), Commending Paola Pina for her service as a legislative intern in the office of State Representative Roland Gutierrez.

To Rules and Resolutions.

HR 2270 (By R. Anderson), Commending Alexander Stephens for his service as a legislative analyst in the office of State Representative Rodney Anderson.

To Rules and Resolutions.

HR 2272 (By Neave), Honoring It's Going To Be Ok, Inc., for its work to eradicate human trafficking and sexual exploitation.

To Rules and Resolutions.

HR 2273 (By Herrero), Congratulating Robert Carter IV, valedictorian of the Class of 2017 at Foy H. Moody High School.

To Rules and Resolutions.

HR 2274 (By Herrero), Congratulating Mercedes Virginia Gonzalez, salutatorian of the Class of 2017 at Foy H. Moody High School.

To Rules and Resolutions.

HR 2275 (By Murphy), In memory of Barbara Dunn Kuhl of Houston.

To Rules and Resolutions.

HR 2276 (By Herrero), Congratulating Anna Elise Trevino, valedictorian of the Class of 2017 at Collegiate High School.

To Rules and Resolutions.

HR 2277 (By Herrero), Congratulating Ezra N. Garza, salutatorian of the Class of 2017 at Collegiate High School.

To Rules and Resolutions.

HR 2279 (By R. Anderson), Commending Jeffrey Chatman for his service as legislative director in the office of State Representative Rodney Anderson.

To Rules and Resolutions.

HR 2280 (By Rinaldi), Congratulating T. C. and Mary Jo Ellard of Coppell on their 60th wedding anniversary.

To Rules and Resolutions.

HR 2281 (By R. Anderson), Commending Savannah Jane Reed for her service as a legislative aide in the office of State Representative Rodney Anderson.

To Rules and Resolutions.

HR 2282 (By Phelan), Recognizing October 2017 as Italian History Month in the State of Texas.

To Rules and Resolutions.

HR 2283 (By Herrero), Congratulating Albert Hernandez on receiving an Outstanding Award from the Student Support Services program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2284 (By Herrero), Congratulating Miesha Jones on receiving an Outstanding Award from the Student Support Services program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2285 (By Herrero), Congratulating Nneka Ukegbu on receiving an Outstanding Award from the Student Support Services program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2286 (By Herrero), Congratulating Austin "Rose" Heilman on receiving a Rising Star Award from the McNair Scholars Program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2287 (By Herrero), Congratulating Jesusa Razzo on receiving a Texas A&M University–Corpus Christi Student Support Services Outstanding Award.

To Rules and Resolutions.

HR 2288 (By Turner), Commending Kylie Calabrese for her service as legislative director in the office of State Representative Chris Turner.

To Rules and Resolutions.

HR 2290 (By Herrero), Congratulating Michelle McGaha on her receipt of an Outstanding Award from the McNair Scholars Program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2292 (By Dale), Commending Adrian Piloto for his service as a legislative aide in the office of State Representative Tony Dale.

To Rules and Resolutions.

HR 2293 (By Wu), Congratulating Johanna Peralta Lopez, valedictorian of the Class of 2017 at Middle College High School.

To Rules and Resolutions.

HR 2294 (By Price), Commemorating Gold Star Mother's Day 2017.

To Rules and Resolutions.

HR 2295 (By Price), Commemorating Veterans Day 2017.

To Rules and Resolutions.

HR 2296 (By Price), Commemorating Thanksgiving 2017.

To Rules and Resolutions.

HR 2297 (By Walle), Honoring Pastor Joe F. Russell on the occasion of his 20th pastoral anniversary at Greater Jerusalem Missionary Baptist Church in Houston.

To Rules and Resolutions.

HR 2298 (By Walle), Commemorating the 27th anniversary of the Buckner Family Hope Center at Aldine.

To Rules and Resolutions.

HR 2299 (By Price), Commemorating Christmas 2017.

To Rules and Resolutions.

HR 2300 (By Price), Congratulating Oleta Smith of Dumas on the occasion of her 100th birthday.

To Rules and Resolutions.

HR 2301 (By Price), Commemorating the 90th anniversary of the Moore County News-Press.

To Rules and Resolutions.

HR 2302 (By Price), Commemorating the 50th anniversary of the Opportunities, Inc., senior citizen center in Borger.

To Rules and Resolutions.

HR 2303 (By Howard), Recognizing the 2017 class of the NEW Leadership Texas Summer Institute.

To Rules and Resolutions.

HR 2304 (By Dutton), Congratulating Earlmound Hammond III on his graduation from Prairie View A&M University.

To Rules and Resolutions.

HR 2305 (By Price), Commemorating the ribbon-cutting ceremony for the new unit at the Agrium plant in Borger.

To Rules and Resolutions.

HR 2306 (By Price), Commemorating the 50th anniversary of the Texas Cattle Feeders Association.

To Rules and Resolutions.

HR 2307 (By Price), Honoring the Amarillo Area Foundation on its 60th anniversary.

To Rules and Resolutions.

HR 2308 (By Farrar), In memory of Steve Dekker of Houston.

To Rules and Resolutions.

HR 2309 (By Herrero), In memory of Charles "Chuck" E. Malone.

To Rules and Resolutions.

HR 2310 (By Rose), Recognizing the eighth-grade class of Nova Academy on the occasion of its visit to the State Capitol.

To Rules and Resolutions.

HR 2311 (By Farrar), In memory of Richard Rodriguez of Houston.

To Rules and Resolutions.

HR 2312 (By Flynn), Congratulating the Cumby High School Z robotics team on winning first place in its division at the VEX Robotics Competition High School World Championship.

To Rules and Resolutions.

HR 2313 (By Wu), Commending Hannah Jordan Bevers for her service as a legislative aide in the office of State Representative Gene Wu.

To Rules and Resolutions.

HR 2314 (By Wu), Commending Trang-Thu "Mimi" Duong for her service as a policy analyst in the office of State Representative Gene Wu.

To Rules and Resolutions.

HR 2315 (By Wu), Commending Alyssa Perez Morrison for her service as a policy analyst in the office of State Representative Gene Wu.

To Rules and Resolutions.

HR 2316 (By Wu), Commending J Andrew Ehlinger for his service as a policy analyst in the office of State Representative Gene Wu.

To Rules and Resolutions.

HR 2317 (By Herrero), Congratulating Rush Hoelscher, valedictorian of the Class of 2017 at Tuloso-Midway High School.

To Rules and Resolutions.

HR 2318 (By Herrero), Congratulating Rianna Turner, salutatorian of the Class of 2017 at Tuloso-Midway High School.

To Rules and Resolutions.

HR 2319 (By Herrero), Congratulating Eric Torres, valedictorian of the Class of 2017 at London High School.

To Rules and Resolutions.

HR 2320 (By Herrero), Congratulating Ellie Makae Tilton, valedictorian of the Class of 2017 at Calallen High School.

To Rules and Resolutions.

HR 2321 (By Herrero), Congratulating Dillon Humpal, salutatorian of the Class of 2017 at London High School.

To Rules and Resolutions.

HR 2322 (By Herrero), Congratulating Mackenzie Arnold, salutatorian of the Class of 2017 at Calallen High School.

To Rules and Resolutions.

HR 2323 (By Herrero), Congratulating Alejandro Jorge Olvera, valedictorian of the Class of 2017 at Calallen Charter High School.

To Rules and Resolutions.

HR 2324 (By Herrero), Congratulating Calysta Elise Guerrero, salutatorian of the Class of 2017 at Bishop High School.

To Rules and Resolutions.

HR 2325 (By Herrero), Congratulating Jessie Danielle Torres, valedictorian of the Class of 2017 at Bishop High School.

To Rules and Resolutions.

HR 2326 (By Herrero), Congratulating Whitney Mae McClendon, valedictorian of the Class of 2017 at Banquete High School.

To Rules and Resolutions.

HR 2327 (By Herrero), Congratulating Hope Nicole Ranly, salutatorian of the Class of 2017 at Banquete High School.

To Rules and Resolutions.

HR 2328 (By Herrero), Honoring Rene Vasquez for his 30-year career in sports broadcasting.

To Rules and Resolutions.

HR 2330 (By Gutierrez), Commending the San Antonio Water System for the assistance it provided to the Corpus Christi community in December 2016.

To Rules and Resolutions.

HR 2331 (By Uresti), In memory of Eustacio Rodriguez Sr. of Austin.

To Rules and Resolutions.

HR 2332 (By Uresti), Commending Dr. William Gonzaba for his contributions to the health and welfare of the people of San Antonio.

To Rules and Resolutions.

HR 2333 (By Isaac), Congratulating Naomi Narvaiz of San Marcos on her 50th birthday.

To Rules and Resolutions.

HR 2334 (By Herrero), Congratulating W. Allan Hayes on his receipt of a 2016-2017 Daniel E. Kilgore Local History Award from the Nueces County Historical Society.

To Rules and Resolutions.

HR 2335 (By Herrero), Congratulating James E. Klein on his receipt of a 2016-2017 Daniel E. Kilgore Local History Award from the Nueces County Historical Society.

To Rules and Resolutions.

HR 2336 (By Herrero), Congratulating Christine Reiser-Robbins on her receipt of a 2016-2017 Daniel E. Kilgore Local History Award from the Nueces County Historical Society.

To Rules and Resolutions.

HR 2337 (By Herrero), Congratulating Mark W. Robbins on his receipt of a 2016-2017 Daniel E. Kilgore Local History Award from the Nueces County Historical Society.

To Rules and Resolutions.

HR 2338 (By Herrero), Congratulating Corbin Lewis on receiving the Superstar Award from the McNair Scholars Program at Texas A&M University–Corpus Christi.

To Rules and Resolutions.

HR 2339 (By Ashby), In memory of Charles Loyd Graham of Normangee.

To Rules and Resolutions.

HR 2340 (By Gooden), Congratulating David A. Byrnes on his retirement as sheriff of Kaufman County.

To Rules and Resolutions.

HR 2341 (By Wray), Congratulating assistant baseball coach Jim Miller on his retirement from Waxahachie High School.

To Rules and Resolutions.

HR 2342 (By Turner), Commending Cailey Hudson of Juan Seguin High School on her perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2343 (By Turner), Commending Ruston Laurence of Juan Seguin High School on his perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2344 (By Turner), Commending Jennifer McCoy of Juan Seguin High School on her perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2345 (By Bohac), Commending Cassidy Taylor Zgabay for her service as an intern in the office of State Representative Dwayne Bohac.

To Rules and Resolutions.

HR 2346 (By Turner), Commending Gregory Wilson of Juan Seguin High School on his perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2347 (By Turner), Commending Jayson Carraway of Juan Seguin High School on his perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2348 (By Turner), Commending Katelyn Jamieson of Juan Seguin High School on her perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2349 (By Turner), Commending Mike Jenkins of Juan Seguin High School on his perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2350 (By Turner), Commending Robert Krecklow of Juan Seguin High School on his perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2351 (By J. Johnson), Commending Paul Teas for his service as a mental health policy analyst intern in the office of State Representative Jarvis Johnson.

To Rules and Resolutions.

HR 2352 (By Turner), Commending Cathy Ownby of Juan Seguin High School on her perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2353 (By Turner), Commending Wesley Ownby of Juan Seguin High School on his perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2354 (By Turner), Commending Marla Wilkins of Juan Seguin High School on her perfect attendance during the 2016-2017 school year.

To Rules and Resolutions.

HR 2355 (By Sanford), Congratulating Gabrielle Kopenski on her success at the 2017 Speedo Sectionals Championship Series in College Station.

To Rules and Resolutions.

HR 2356 (By Sanford), Congratulating Prosper High School UIL academics teams on winning the district championship.

To Rules and Resolutions.

SIGNED BY THE SPEAKER

The following bills and resolutions were today signed in the presence of the house by the speaker:

House List No. 30

HB 268, HB 493, HB 804, HB 961, HB 1178, HB 1186, HB 1187, HB 1249, HB 1264, HB 1303, HB 1410, HB 1463, HB 1468, HB 1512, HB 1526, HB 1810, HB 1859, HB 1891, HB 1913, HB 2019, HB 2029, HB 2040, HB 2048, HB 2064, HB 2095, HB 2115, HB 2130, HB 2207, HB 2413, HB 2700, HB 2761, HB 2943, HB 2999, HB 3018, HB 3177, HB 3232, HB 3275, HB 3329, HB 3389, HB 3433, HB 4054, HB 4056, HCR 144

Senate List No. 23

SB 47, SB 208, SB 297, SB 320, SB 321, SB 377, SB 440, SB 497, SB 499, SB 510, SB 528, SB 539, SB 547, SB 560, SB 613, SB 686, SB 714, SB 718, SB 726, SB 790, SB 799, SB 864, SB 867, SB 879, SB 887, SB 904, SB 964, SB 975, SB 976, SB 977, SB 998, SB 1021, SB 1045, SB 1102, SB 1119, SB 1124, SB 1136, SB 1179, SB 1193, SB 1220, SB 1237, SB 1238, SB 1242, SB 1260, SB 1264, SB 1291, SB 1361, SB 1395, SB 1403, SB 1430, SB 1492, SB 1502, SB 1519, SB 1523, SB 1705, SB 1743, SB 1864, SB 1965, SB 2117, SB 2150, SB 2205, SB 2243, SB 2245, SB 2268, SB 2271, SB 2282, SB 2286

Senate List No. 24

SB 22, SB 952, SB 1023, SB 1085, SB 1152, SB 1187, SB 1199, SB 1290, SB 1349, SB 1479, SB 1490, SB 1548, SB 1565, SB 1667, SB 1732, SB 1806, SB 1837, SB 1849, SB 1877, SB 1901, SB 1952, SB 2006, SB 2255

Senate List No. 25

SB 42, SB 74, SB 78, SB 291, SB 295, SB 298, SB 304, SB 313, SB 331, SB 500, SB 524, SB 654, SB 705, SB 826, SB 944, SB 957, SB 1062, SB 1105, SB 1131, SB 1196, SB 1221, SB 1253, SB 1748, SB 1758, SB 1873, SB 2080, SB 2087

MESSAGES FROM THE SENATE

The following messages from the senate were today received by the house:

Message No. 1**MESSAGE FROM THE SENATE**

SENATE CHAMBER

Austin, Texas

Tuesday, May 23, 2017 - 2

The Honorable Speaker of the House

House Chamber

Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 2 Zerwas SPONSOR: Nelson
 Relating to making supplemental appropriations and giving direction and adjustment authority regarding appropriations.
 (Committee Substitute)

HB 13 Price SPONSOR: Schwertner
 Relating to the creation of a matching grant program to support community mental health programs for individuals experiencing mental illness.
 (Committee Substitute/Amended)

HB 298 Larson SPONSOR: Campbell
 Relating to a parent's right to view the body of a deceased child before an autopsy is performed.
 (Committee Substitute)

HB 478 Israel SPONSOR: Uresti
 Relating to civil liability for removing certain individuals from a motor vehicle.
 (Committee Substitute)

HB 674 Johnson, Eric SPONSOR: Garcia
 Relating to the suspension of a student enrolled in a grade level below grade three from public school and to a positive behavior program for public schools.

(Committee Substitute)

HB 1151 Schofield SPONSOR: Bettencourt
Relating to the deadline for returning a ballot voted by mail.

HB 1424 Murphy SPONSOR: Birdwell
Relating to the operation of an unmanned aircraft over certain facilities or sports venues; creating a criminal offense.

(Amended)

HB 1787 Wray SPONSOR: Rodríguez
Relating to the execution of a declaration for mental health treatment.

HB 1978 Sheffield SPONSOR: Buckingham
Relating to physician assistant services performed as volunteer care.

(Amended)

HB 2119 Kacal SPONSOR: West
Relating to workers' compensation death benefit eligibility for certain spouses of first responders killed in the line of duty.

HB 2334 Oliverson SPONSOR: Garcia
Relating to the imposition of a criminal penalty for the violation of a rule adopted or order issued under the Flood Control and Insurance Act in certain counties.

HB 2369 Nevárez SPONSOR: Lucio
Relating to municipal fees charged to public school districts for water and sewer service.

HB 2466 Davis, Sarah SPONSOR: Huffman
Relating to coverage for certain services related to maternal depression under the Medicaid and child health plan programs.

(Amended)

HB 2565 Stucky SPONSOR: Estes
Relating to the powers and duties of the Big Sky Municipal Utility District of Denton County; providing authority to issue bonds and impose fees and taxes.

(Amended)

HB 2662 Landgraf SPONSOR: Seliger
Relating to the Texas Low-Level Radioactive Waste Disposal Compact waste disposal facility; reducing a surcharge; eliminating a fee.

(Committee Substitute)

HB 2776 Smithee SPONSOR: Creighton
Relating to the right of certain appellants to supersede a judgment or order on appeal.

(Committee Substitute)

HB 3158 Flynn SPONSOR: West
Relating to the retirement systems for and the provision of other benefits to police and fire fighters in certain municipalities; creating a criminal offense.

(Committee Substitute/Amended)

HB 3218 Phillips SPONSOR: Schwertner
Relating to health maintenance organization contracts with certain entities to provide health care services.

HB 3765 Longoria SPONSOR: Hinojosa
Relating to directing payment, after approval, of certain miscellaneous claims and judgments against the state out of funds designated by this Act; making appropriations.

HB 3849 Zerwas SPONSOR: Nelson
Relating to the creation and re-creation of funds and accounts, the dedication and rededication of revenue, and the exemption of unappropriated money from use for general governmental purposes.
(Committee Substitute)

HB 3879 Goldman SPONSOR: Hancock
Relating to nonlawyer representation in an appeal of an eviction suit.
(Committee Substitute)

HB 4007 Kuempel SPONSOR: Zaffirini
Relating to the licensing and regulation of health-related occupations transferred to the Texas Department of Licensing and Regulation.
(Committee Substitute)

HB 4042 Paddie SPONSOR: Whitmire
Relating to the sale by certain alcoholic beverage permit holders of alcoholic beverages at auction.
(Committee Substitute/Amended)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 2

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, May 23, 2017 - 3

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 108 Alvarado SPONSOR: Taylor, Larry
Relating to the use of the skills development fund to facilitate the relocation to or expansion in this state of employers offering complex or high-skilled employment opportunities.

HB 238 Hernandez SPONSOR: Perry
Relating to the creation of records of the DNA of certain defendants for inclusion in the DNA database system.

HB 245 Johnson, Eric SPONSOR: Whitmire

Relating to certain reporting requirements for law enforcement agencies and to the creation of a criminal justice web portal by the office of the attorney general; providing a civil penalty.

(Committee Substitute/Amended)

HB 280 Howard SPONSOR: Buckingham
Relating to a grant program for reducing workplace violence against nurses.

HB 681 Wu SPONSOR: Zaffirini
Relating to restricting access to certain information that relates to a person convicted of or granted a dismissal after deferral of disposition for a fine-only misdemeanor offense.

(Amended)

HB 912 Romero, Jr. SPONSOR: Taylor, Van
Relating to the licensing and regulation of providers of driver and traffic safety education.

HB 928 White SPONSOR: Uresti
Relating to assisting certain children who are in foster care in the process of applying to institutions of higher education.

HB 931 Miller SPONSOR: Kolkhorst
Relating to liability of certain electric utilities and political subdivisions that contract for certain uses of land that the electric utility owns, occupies, or leases.

(Amended)

HB 1036 Thompson, Senfronia SPONSOR: Whitmire
Relating to coverage for certain breast cancer screening procedures under certain health benefit plans.

(Committee Substitute)

HB 1284 Thompson, Senfronia SPONSOR: Garcia
Relating to the licensing and regulation of a journeyman lineman.

HB 1298 Frullo SPONSOR: Hancock
Relating to the definition of commercial property insurance for purposes of certain provisions governing insurance rates and policy forms.

HB 1407 Sheffield SPONSOR: Seliger
Relating to the establishment of the emergency medical services assistance program.

(Committee Substitute/Amended)

HB 1426 Allen SPONSOR: Burton
Relating to the issuance of a certificate of relief from collateral consequences to certain persons placed on community supervision, including deferred adjudication community supervision, for certain criminal offenses.

(Committee Substitute/Amended)

HB 1507 Giddings SPONSOR: West
Relating to the rights of certain defendants who successfully complete a term of community supervision.

(Amended)

HB 1549 Burkett SPONSOR: Kolkhorst

Relating to the provision of services by the Department of Family and Protective Services, including child protective services and prevention and early intervention services.

(Committee Substitute/Amended)

HB 1556 González, Mary SPONSOR: Menéndez
Relating to the appointment of foster parents and other qualified persons to serve as educational decision-makers for certain children in the conservatorship of the Department of Family and Protective Services.

(Committee Substitute)

HB 1823 Canales SPONSOR: Zaffirini
Relating to properly recorded diacritical marks in vital statistics records, driver's licenses, commercial driver's licenses, and personal identification certificates.

(Committee Substitute/Amended)

HB 1866 Geren SPONSOR: Campbell
Relating to compensation and restitution to crime victims and the disposition of unclaimed restitution payments; providing for an administrative penalty; authorizing a fee.

HB 1944 Murphy SPONSOR: Hughes
Relating to captive insurance companies.

HB 1983 Wray SPONSOR: Whitmire
Relating to the eligibility of a first responder for workers' compensation benefits for post-traumatic stress disorder.

HB 2070 Smithee SPONSOR: Watson
Relating to the enforcement of certain warranties for a new motor vehicle.

HB 2157 Miller SPONSOR: Bettencourt
Relating to the requirements for a candidate's application or petition for a place on the ballot.

HB 2174 Darby SPONSOR: Nichols
Relating to the regulation of motor fuel quality and motor fuel metering devices; authorizing fees.

(Committee Substitute)

HB 2319 Paddie SPONSOR: Creighton
Relating to weight limitations for natural gas motor vehicles.

(Amended)

HB 2445 Stucky SPONSOR: Estes
Relating to the use of municipal hotel occupancy tax revenue in certain municipalities.

(Amended)

HB 2523 Davis, Sarah SPONSOR: Taylor, Van
Relating to the investigation of fraud, waste, and abuse in certain public benefits programs by the office of inspector general for the Health and Human Services Commission.

(Committee Substitute)

HB 2908 Hunter SPONSOR: Huffman

Relating to the punishment for a criminal offense committed against a person because of bias or prejudice on the basis of status as a peace officer or judge; increasing a criminal penalty.

HB 3024 Price SPONSOR: Birdwell
Relating to the removal of a public school student from an interscholastic athletic activity on the basis of a suspected concussion.

HB 3046 Dale SPONSOR: Schwertner
Relating to combined municipal sales tax ballot propositions.

HB 3107 Ashby SPONSOR: Nichols
Relating to the production of public information under the public information law.
(Committee Substitute)

HB 3165 Moody SPONSOR: Rodríguez
Relating to certain pretrial procedures in criminal cases.
(Committee Substitute/Amended)

HB 3526 Howard SPONSOR: Taylor, Larry
Relating to renaming the instructional materials allotment as the technology and instructional materials allotment and making associated technical changes.
(Amended)

HB 3649 Herrero SPONSOR: Hinojosa
Relating to confidential communications of victims of certain family violence offenses.
(Committee Substitute)

HB 3690 Metcalf SPONSOR: Birdwell
Relating to the Texas Crime Stoppers Council.
(Amended)

THE SENATE HAS ADOPTED THE FOLLOWING CONFERENCE COMMITTEE REPORTS:

SB 2190 (25 Yeas, 5 Nays, 1 Present, not voting)

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 3

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Tuesday, May 23, 2017 - 4

The Honorable Speaker of the House
House Chamber
Austin, Texas
Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 61 Guillen SPONSOR: Uresti
Relating to consideration under the public school accountability system of performance on assessment instruments by certain students formerly receiving special education services.
(Amended)

HB 91 White SPONSOR: Huffman
Relating to a review of occupational licensing requirements and an applicant's criminal history.
(Committee Substitute/Amended)

HB 214 Canales SPONSOR: Burton
Relating to a recording of certain proceedings of the Texas Supreme Court and Court of Criminal Appeals and the publication of the recordings.
(Committee Substitute)

HB 590 Bohac SPONSOR: Huffines
Relating to the liability of first responders who provide roadside assistance.

HB 867 Villalba SPONSOR: Taylor, Van
Relating to school marshals for private schools.
(Amended)

HB 1296 Frullo SPONSOR: Buckingham
Relating to health benefit coverage for prescription drug synchronization.

HB 1542 Price SPONSOR: Birdwell
Relating to the definition of the least restrictive environment for the placement of children in foster care.

HB 1814 Murr SPONSOR: Zaffirini
Relating to application requirements for certain probate proceedings.

HB 2062 Phillips SPONSOR: Estes
Relating to the creation and operations of health care provider participation programs in certain counties.
(Committee Substitute)

HB 2304 Guillen SPONSOR: Schwertner
Relating to the regulation of barbering and cosmetology.
(Committee Substitute)

HB 2529 Meyer SPONSOR: Huffman
Relating to the definition of coercion for purposes of the offense of trafficking of persons.
(Amended)

HB 2792 González, Mary SPONSOR: Rodríguez
Relating to housing authorities established by municipalities and counties.
(Committee Substitute)

HB 3021 Phelan SPONSOR: Hughes

Relating to indemnification and duties of engineers and architects under certain governmental contracts.

HB 3632 Moody SPONSOR: Rodríguez
Relating to extension of the timeline for a parent to request a special education impartial due process hearing in certain circumstances.
(Amended)

HB 4029 Oliveira SPONSOR: Lucio
Relating to the use of municipal hotel occupancy tax revenue by certain municipalities.
(Committee Substitute)

HCR 59 Bailes SPONSOR: Creighton
Urging Congress to pass a budget.

Respectfully,
Patsy Spaw
Secretary of the Senate

Message No. 4

MESSAGE FROM THE SENATE
SENATE CHAMBER
Austin, Texas
Wednesday, May 24, 2017

The Honorable Speaker of the House
House Chamber
Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 34 Smithee SPONSOR: Perry
Relating to measures to prevent wrongful convictions.
(Committee Substitute/Amended)

HB 150 Bell SPONSOR: Creighton
Relating to the exemption from ad valorem taxation of part of the appraised value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead.
(Amended)

HB 1290 Roberts SPONSOR: Kolkhorst
Relating to the required repeal of a state agency rule before adoption of a new state agency rule.
(Amended)

HB 1553 Lozano SPONSOR: Hinojosa
Relating to permitting a school district that has failed to satisfy performance standards to partner with an institution of higher education to improve district performance.

(Amended)

HB 1735 Faircloth SPONSOR: Huffman
 Relating to certain election officers.
 (Amended)

HB 3052 Herrero SPONSOR: Watson
 Relating to an authorization agreement between a parent and a nonparent relative of the child.
 (Amended)

HB 3808 Clardy SPONSOR: Menéndez
 Relating to student loan repayment assistance for certain mental health professionals.
 (Amended)

HJR 21 Bell SPONSOR: Creighton
 Proposing a constitutional amendment authorizing the legislature to provide for an exemption from ad valorem taxation of part of the market value of the residence homestead of a partially disabled veteran or the surviving spouse of a partially disabled veteran if the residence homestead was donated to the disabled veteran by a charitable organization for less than the market value of the residence homestead and harmonizing certain related provisions of the Texas Constitution.

Respectfully,
 Patsy Spaw
 Secretary of the Senate

Message No. 5

MESSAGE FROM THE SENATE
 SENATE CHAMBER
 Austin, Texas
 Wednesday, May 24, 2017 - 2

The Honorable Speaker of the House
 House Chamber
 Austin, Texas

Mr. Speaker:

I am directed by the senate to inform the house that the senate has taken the following action:

THE SENATE HAS PASSED THE FOLLOWING MEASURES:

HB 550 Guillen SPONSOR: Perry
 Relating to sound-producing devices on vessels.
 (Amended)

HB 1661 Phelan SPONSOR: Nichols
 Relating to a withdrawal of a candidate.

HB 2121 Cyrier SPONSOR: Hughes
 Relating to damages in certain contract claims against the state.

HB 3069 White SPONSOR: Campbell
 Relating to the administration of and eligibility for participation in a veterans treatment court program and the issuance of orders of nondisclosure for certain participants who successfully complete that program.

(Amended)

SCR 56

Watson

Requesting the lieutenant governor and the speaker of the house of representatives to create a joint interim committee to examine all state open-government laws.

Respectfully,

Patsy Spaw

Secretary of the Senate

APPENDIX

STANDING COMMITTEE REPORTS

Favorable reports have been filed by committees as follows:

May 22

Defense and Veterans' Affairs - **SB 94**

House Administration - **SCR 11**

ENROLLED

May 22 - HB 268, HB 431, HB 493, HB 678, HB 804, HB 961, HB 998, HB 1103, HB 1117, HB 1178, HB 1186, HB 1187, HB 1249, HB 1264, HB 1303, HB 1410, HB 1463, HB 1468, HB 1512, HB 1526, HB 1645, HB 1699, HB 1704, HB 1810, HB 1859, HB 1891, HB 1913, HB 2019, HB 2029, HB 2040, HB 2048, HB 2064, HB 2067, HB 2095, HB 2115, HB 2130, HB 2207, HB 2413, HB 2700, HB 2761, HB 2943, HB 2999, HB 3018, HB 3177, HB 3232, HB 3275, HB 3329, HB 3389, HB 3433, HB 4054, HB 4056, HCR 144

SENT TO THE GOVERNOR

May 22 - HB 239, HB 257, HB 471, HB 561, HB 572, HB 594, HB 639, HB 920, HB 970, HB 1083, HB 1106, HB 1128, HB 1257, HB 1355, HB 1442, HB 1570, HB 1571, HB 1648, HB 1697, HB 1761, HB 1771, HB 1780, HB 1819, HB 1860, HB 2097, HB 2324, HB 2359, HB 2425, HB 2437, HB 2504, HB 2615, HB 2783, HB 2933, HB 2964, HB 2989, HB 3051, HB 3227, HB 3237, HB 3276, HB 3488, HB 3954, HB 4032, HCR 42, HCR 133, HCR 134

SIGNED BY THE GOVERNOR

May 22 - HB 409, HB 1483, HB 1612, HB 1818, HB 2194, HCR 143

